

**1. IRA AND BAMBI GRABOW**  
**(Applicant)**

**05-6-CZ12-1 (04-270)**  
**BCC/District 7**  
**Hearing Date: 11/17/05**

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☐/ lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☐ No ☒

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
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NONE

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP**

APPLICANT'S NAME: IRA & BAMBI GRABOW

**1**

REPRESENTATIVE: JUAN MAYOL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
05-6-CZ12-1 (04-270)	JUNE 20, 2005	CZAB12		05

**REQ:** (1) EU-1 to EU-S OR IN THE ALTERNATIVE TO REQUEST #1, THE FOLLOWING:  
(2) Lot area of 0.645 gross ac. & 0.793 gross acre (1 gross acre required for each).

**REC:** DWOP #1 APPROVE #2 PER 33-311(A)(4)(b) & DWOP PER 33-311(A)(14) & (A)(4)(c)

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): \_\_\_\_\_

☒ DEFER: ☐ INDEFINITELY ☒ TO: AUG. 17, 2005 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.  
☐ WITH CONDITIONS

☒ **NOTE: Bd. requested applicant to provide bldg. details/plans for houses.**

TITLE	M/S	NAME	YES	NO	ABSENT
MS.		Peggy BRODEUR		X	
MS.		Jackie HERNANDEZ-TORAÑO	X		
MADAME VICE-CHAIR	M	Millie HERRERA	X		
MS.		Carla SAVOLA	X		
MR.	S	Nelson A. VARONA	X		
MR.		Robert W. WILCOSKY	X		
CHAIRMAN		Jose I. VALDES (C.A.)	X		
VOTE:			6	1	

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: JAY WILLIAMS

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

**APPLICANT:** Ira and Bambi Grabow

**PH:** Z04-270 (05-06-CZ12-1)

**SECTION:** 31-54-41

**DATE:** November 17, 2005

**COMMISSION DISTRICT:** 7

**ITEM NO.:** 1

**A. INTRODUCTION**

• **REQUEST:**

Ira and Bambi Grabow are appealing the decision of the Community Zoning Appeals Board #12 which denied without prejudice the following:

1. EU-1 to EU-S

or in the alternative to request #1:

2. Applicant is requesting to permit a lot with an area of .645 gross acre and a lot with an area of .793 gross acre (1 gross acre required for each).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-use Variance) or (c) (Alternative Non-use Variance).

A plan is on file and may be examined in the Zoning Department entitled "Specific Purpose Survey, Site Plan, Ira Grabow," as prepared by Robayna and Associates, dated stamped received 4/19/05. Plan may be modified at public hearing.

o **SUMMARY OF REQUEST:**

The applicant is appealing the decision of the Community Zoning Appeals Board-12 which denied a request to change the zoning on the property from EU-1, Single-Family One Acre Estate Residential District, to EU-S, Estate Use Suburban Residential District, or in the alternative, to permit a lot with an area of .645 gross acre and a lot with an area of .793 gross acre to allow the resubdivision of the subject EU-1 zoned parcel into two lots with less lot area than required by zoning regulations.

o **LOCATION:**

Southwest corner of SW 76 Street and SW 48 Court, a/k/a 4820 SW 76 Street, Miami-Dade County, Florida.

o **SIZE:** 1.438 gross acres

o **IMPACT:**

The approval of the requested district boundary change or the alternative request for lots with less area than required by the EU-1 zoning district regulations will provide 1 additional housing unit for the community that will have a minimal impact on public services.

B. **ZONING HEARINGS HISTORY:** None

C. **COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **estate density residential**.

**Estate Density Residential**

This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.

D. **NEIGHBORHOOD CHARACTERISTICS:**

**EXISTING ZONING**

**LAND USE PLAN DESIGNATION**

**Subject Property:**

EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du

**Surrounding Properties:**

NORTH: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du

SOUTH: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du

EAST: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du

WEST: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du

The subject property is located on the southwest corner of SW 48 Court and SW 76 Street. The area surrounding the subject property is predominately developed with single-family homes.

E. **SITE AND BUILDINGS:**

**Site Plan Review:**

(site plan submitted)

Scale/Utilization of Site:

**Acceptable**

Location of Buildings:	Acceptable
Compatibility:	Acceptable
Landscape Treatment:	N/A
Open Space:	N/A
Buffering:	N/A
Access:	N/A
Parking Layout/Circulation:	N/A
Visibility/Visual Screening:	N/A
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

**F. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(F)**

In evaluating an application for a **district boundary change**, the Board shall take into consideration, among other factors the extent to which the development permitted by the application if granted:

- (1) Conform to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) Will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) Will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) Will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) Will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

**Section 33-311(A)(14) Alternative Site Development Option for Single Family and Duplex Dwellings**

The following standards are alternatives to the generalized standards contained in zoning regulations governing specified zoning districts:

**(d)** The **lot area, frontage, or depth** for a single family or duplex dwelling shall be approved upon demonstration of at least one of the following:

1. the proposed lot area, frontage or depth will permit the development or redevelopment of a single family or duplex dwelling on a parcel of land where such dwelling would not otherwise be permitted by the underlying district regulations due to the size or configuration of the parcel proposed for alternative development, provided that:
  - A. the parcel is under lawful separate ownership from any contiguous property and is not otherwise grandfathered for single family or duplex use; and
  - B. the proposed alternative development will not result in the further subdivision of land; and
  - C. the size and dimensions of the lot are sufficient to provide all setbacks required by the underlying district regulations; and
  - D. the lot area is not less than ninety percent (90%) of the minimum lot area required by the underlying district regulations; and
  - E. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - F. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and
  - G. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
2. the proposed alternative development will result in open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not otherwise achievable through application of the underlying district regulations, provided that:
  - A. the density of the proposed alternative development does not exceed that permitted by the underlying district regulations; and

- B. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002); and
  - C. each lot's area is not less than eighty percent (80%) of the lot area required by the underlying district regulations; and
  - D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and
  - F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
3. the proposed lot area, frontage or depth is such that:
- A. the proposed alternative development will not result in the creation of more than three (3) lots; and
  - B. the size and dimensions of each lot are sufficient to provide all setbacks required by the underlying district regulations; and
  - C. no lot area shall be less than the smaller of:
    - i. ninety percent (90%) of the lot area required by the underlying district regulations; or
    - ii. the average area of the developed lots in the immediate vicinity within the same zoning district; and
  - D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and
  - F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
4. If the proposed alternative development involves the creation of new parcels of smaller than five (5) gross acres in an area designated agricultural in the Comprehensive Development Master Plan:

- A. the abutting parcels are predominately parcelized in a manner similar to the proposed alternative development on three (3) or more sides of the parcel proposed for alternative development; and
  - B. the division of the parcel proposed for alternative development will not precipitate additional land division in the area; [and]
  - C. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations; and
  - D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the surrounding area defined by the closest natural and man-made boundaries lying with [in] the agricultural designation; and
  - E. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
- (g) Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:
- 1. will result in a significant diminution of the value of property in the immediate vicinity; or
  - 2. will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or
  - 3. will result in a materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or
  - 4. will combine severable use rights obtained pursuant to Chapter 33B of this code in conjunction with the approval sought hereunder so as to exceed the limitations imposed by section 33B-45 of this code.
- (h) Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services,



sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:

- A. the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and
- B. the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

**Section 33-311 (A)(4)(b). Non-use variances from other than airport regulations:**

Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

**Section 33-311(A)(4)(c) Alternative non-use variance standard.** Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

**G. NEIGHBORHOOD SERVICES:**

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDTA	No objection

Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>No comment</b>

\*Subject to the conditions as stated in the attached memoranda.

#### H. **ANALYSIS:**

On August 17, 2005, pursuant to Resolution CZAB12-31-05, the Community Zoning Appeals Board-12 (CZAB-12) denied without prejudice this application by a vote of 6 to 1. On August 23, 2005, the applicants appealed the CZAB-12's decision. The applicants indicate on the appeal application that the Board's decision to deny the request to rezone the property was not based on substantial competent evidence. Staff notes that all existing uses and zoning are consistent with the CDMP. As such, the CZAB-12's decision to deny this application and retain the existing EU-1 zoning on the property is **consistent** with the CDMP.

The subject property is located on the southwest corner of SW 48 Court and SW 76 Street and developed with a single-family residence. The applicant is seeking to rezone the property from EU-1, Single-Family One Acre Estate District, to EU-S, Estate Use Suburban Residential District, or in the alternative, to resubdivide the subject parcel into two EU-1 (Single-Family One Acre Estate District) zoned lots with less lot area than required by zoning regulations in order to develop two single-family home sites. The site plan submitted indicates the development of two lots (Lot 'A' and Lot 'B'), each with 25,700 sq. ft. of net lot area. Lot A will have a gross area of 34,544 sq. ft. and lot B will have an area of 28,910 gross sq. ft. However, EU-1 zoning standards require a minimum of 1 acre gross lot area (43,560 sq. ft). All of the parcels immediately surrounding the subject property are zoned EU-1 and are developed with single-family homes.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application and states that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department does not object** to this application. The land will require platting in accordance with Chapter 28 of the Miami-Dade County Code and road dedications and improvements will be accomplished through the recording of a plat. According to their memorandum, this application meets traffic concurrency since it lies within the urban infill area where traffic concurrency does not apply.

This application would permit the applicant to provide additional housing for the community. The Land Use Plan (LUP) map of the CDMP designates this site for estate density residential use that permits a maximum of 2.5 units per gross acre, and would allow the applicant to develop the site with a maximum of 3 residential units. As such, the development of the subject property with two residential lots as proposed by the applicant is deemed to be **consistent** with the Land Use Plan map. Staff notes that the subject property is completely surrounded by EU-1 zoning and lies east of SW 50 Avenue, between SW 72 Street and N. Kendall Drive where the predominant zoning is EU-1. Notwithstanding the aforementioned, to the west is a pocket of EU-M, Estate Modified Residential District, and to the east and south are pockets of RU-1, Single Family Residential District, zoned lots. In addition, a number of

the platted EU-1 parcels surrounding the subject property have less than the 1-acre gross area required by zoning regulations. Although the rezoning (request #1) to EU-S (25,000 sq. ft. gross) might be compatible with similarly sized lots in the area, said zoning district would set a poor precedent for rezoning to more intense residential districts in this area of Miami-Dade County.

When analyzing request #2 under Section 33-311(A)(14), the Alternative Site Development Option for Single-Family and Duplex Dwellings, the proposed development will not result in an obvious departure from the aesthetic character of the immediate vicinity; the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the CDMP; and sufficient frontage is maintained to permit vehicular access to all resulting lots. However, the lot area is less than ninety percent (90%) of the minimum lot area required by the underlying district regulations. Ninety percent (90%) of the EU-1 lot area (43,560 sq. ft. gross) is 39,204 sq. ft. gross where only 34,544 sq. ft. gross is provided for Lot 'A' and 28,910 sq. ft. gross is provided for Lot 'B'. As such, request #2 cannot be approved under Section 33-311(A)(14) (Alternative Site Development Option for Single Family and Duplex Dwellings).

Section 33-311(A)(4)(b), the Non-Use Variance Standards, indicates that the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. In staff's opinion, request #2 which seeks to resubdivide the property into two EU-1 zoned lots with less area than required by zoning regulations will not be incompatible with the area concerned since there are a number of lots in the vicinity that are similar or less in size than those requested by the subject application. As previously mentioned, to the west of the subject property is a pocket of EU-M, Estate Modified Residential District, with lots ranging in size from approximately 19,072 sq. ft. to 22,230 sq. ft. and to the east and south are pockets of RU-1, Single Family Residential District, with lots ranging from 8,687 sq. ft. to 11,700 sq. ft. A number of the platted EU-1 parcels surrounding the subject property have less than the 1-acre gross area required by zoning regulations. The EU-1 parcel on the northeast corner of Ponce De Leon Boulevard and SW 76 Street is 23,958 sq. ft. net in size (32,500 sq. ft. gross) and was approved for this size pursuant to waiver of plat D-18867 and the purchase of a Severable Use Rights (SURs), the EU-1 zoned parcel immediately east of the subject property was approved for less lot area (33,106 sq. ft./ 43,560 sq. ft. required) pursuant to Resolution BA11-54, and an EU-1 parcel located two lots removed to the south was approved with less lot area by the Board of County Commissioners pursuant to Resolution BA11-55 (23,087 sq. ft. approved/ 43,560 sq. ft. required). In staff's opinion, the approval of the resubdivision of the subject 1.2-acre parcel into two 25,700 sq. ft. lots will be **compatible** with the surrounding community and will maintain the stability and residential appearance of same. Accordingly, staff recommends approval of request #2 of this application under Section 33-311(A)(4)(b) (Non-Use Variance).

When analyzed under Section 33-311(A)(4)(c), the Alternative Non-Use Variance Standards, the applicant would have to prove that request #2, to resubdivide the 1.2-acre subject parcel

into two lots is due to an unnecessary hardship and that, if the request is denied, such denial would not permit the reasonable use of the premises. Since the applicants could use the property in accordance with the underlying zoning regulations, staff recommends denial without prejudice of request #2 under Section 33-311(A)(4)(c) (Alternative Non-Use Variance Standards).

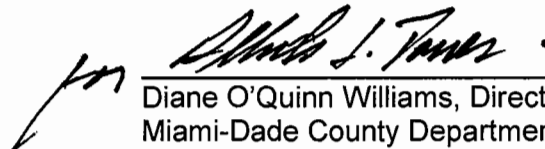
Accordingly, staff of the Department of Planning and Zoning recommends denial without prejudice of the appeal as it pertains to the request to permit the district boundary change to EU-S (request #1); approval of the appeal as it pertains to request #2 under Section 33-311(A)(4)(b) (Non-Use Variance); and denial without prejudice of the appeal as it pertains to request #2 under Section 33-311(A)(14) (Alternative Site Development Option) and Section 33-311(A)(4)(c) (Alternative Non-Use Variance).

- I. **RECOMMENDATION:** Denial without prejudice of the appeal as it pertains to the district boundary change to EU-S (request #1); approval of the appeal as it pertains to request #2 under Section 33-311(A)(4)(b) (NUV); denial without prejudice of the appeal as it pertains to request #2 under Section 33-311(A)(14) (ASDO) and Section 33-311(A)(4)(c) (ANUV).

- J. **CONDITIONS:** None

<b>DATE INSPECTED:</b>	01/04/05
<b>DATE TYPED:</b>	02/06/05
<b>DATE REVISED:</b>	02/10/05, 03/15/05, 03/17/05, 03/18/05, 04/28/05, 05/09/05, 05/13/05, 05/19/05, 07/08/05, 07/21/05, 10/05/05, 10/18/05, 10/19/05, 11/07/05
<b>DATE FINALIZED:</b>	11/07/05

DO'QW:AJT:MTF:LVT:GB

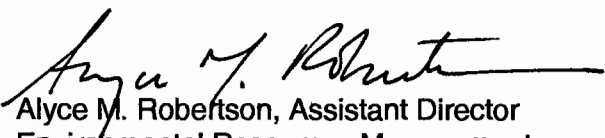
  
\_\_\_\_\_  
Diane O'Quinn Williams, Director  
Miami-Dade County Department of  
Planning and Zoning

## Memorandum



**Date:** August 12, 2004

**To:** Diane O'Quinn-Williams, Director  
Department of Planning and Zoning

**From:**   
Alyce M. Robertson, Assistant Director  
Environmental Resources Management

**Subject:** C-12 #Z2004000270  
Ira and Bambi Grabow  
4820 SW 76<sup>th</sup> Street  
DBC from EU-1 to EU-S  
(EU-1) (1.2 Ac.)  
31-54-41

RECEIVED  
AUG 17 2004

MIAMI-DADE COUNTY  
DIRECTOR'S OFFICE  
DEPT. OF PLANNING & ZONING

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply:

Public water can be made available to this site, therefore, connection will be required.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Sewer Service:

Sanitary sewers are presently approximately 4,300 feet from this site, however, DERM has no objection to low intensity development served by interim septic tanks provided that the proposed lots are connected to the public water supply system, and that the maximum sewage loading allowed by the Code is not exceeded. Based on available information, the proposed use served with septic tanks would not exceed the maximum allowable sewage loading for the subject site.

Stormwater Management:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A No-Notice General Environmental Resource Permit from DERM shall be required for the drainage system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Tree Preservation:

An on-site inspection performed by DERM staff revealed the presence of specimen-sized (trunk diameter  $\geq 18"$ ) trees including one specimen-sized live oak tree, one pongam and one java plum tree. Section 24-60 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized trees, as defined in the Code, which are on the site. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. A tree survey showing all the tree resources on site will be required prior to reviewing the tree removal permit application. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z  
Ron Connally, Zoning Hearings- P&Z  
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PH# Z2004000270  
CZAB - C12

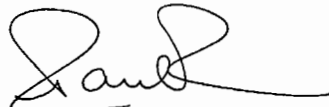
**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: IRA AND BAMBI GRABOW

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.

A handwritten signature in black ink, appearing to read "Raul", with a stylized flourish extending from the end.

Raul A Pino, P.L.S.

27-SEP-04

PETITION OF APPEAL FROM DECISION OF  
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD  
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY DB AMOUNT OF FEE 1,580.86  
RECEIPT # 1200512101  
DATE HEARD: 8/17/05  
BY CZAB # 123105

RECEIVED  
AUG 23 2005

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT  
DATE RECEIVED STAMP

\*\*\*\*\*  
This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 05-6-CZ12-1/04-270

Filed in the name of (Applicant) IRA & BAMBI GRABOW

Name of Appellant, if other than applicant \_\_\_\_\_

Address/Location of APPELLANT'S property: The Southwest corner of S.W. 76 Street & S.W. 48 Court; AKA: 4820 S.W. 76<sup>th</sup> Street, Miami-Dade County, Florida 33143

Application, or part of Application being Appealed (Explanation): Entire Application

Appellant (name): IRA & BAMBI GRABOW

hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:

(State in brief and concise language)

The denial of the application was not based on substantial competent evidence. The proposal is both consistent with the property's land use designation and compatible with the existing and foreseeable development surrounding the property.



**APPELLANT MUST SIGN THIS PAGE**

Date: 23 day of August, year 2005

Signed \_\_\_\_\_

IRA GRABOW

Print Name

4820 S.W. 76<sup>th</sup> Street, Miami, FL 33143

Mailing Address

(305) 661-0707

Phone

(305) 661-7610

Fax

**REPRESENTATIVE'S AFFIDAVIT**

If you are filing as representative of an association or other entity, so indicate:

\_\_\_\_\_  
Representing

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Telephone Number

Subscribed and Sworn to before me on the 23 day of August, year 2005

[Signature]  
Notary Public

(stamp/seal)

Commission Expires



**APPELLANT'S AFFIDAVIT OF STANDING**  
(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me the undersigned authority, personally appeared **IRA GRABOW** (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☒ 1. Participation at the hearing  
☐ 2. Original Applicant  
☐ 3. Written objection, waiver or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

**Witnesses:**

Tracy Slavens  
Signature

Tracy Slavens  
Print Name

[Signature]  
Signature

Mercedes Arrojas  
Print Name

[Signature]  
Appellant's signature

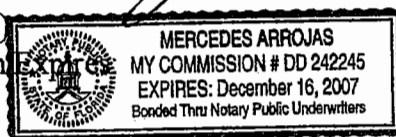
IRA GRABOW  
Print Name

Sworn to and subscribed before me on the 23 day of August, year 2005.

Appellant is personally know to me or has produced \_\_\_\_\_ as identification.

[Signature]  
Notary

(Stamp/Seal)  
Commission



**APPELLANT MUST SIGN THIS PAGE**

Date: 23 day of August, year 2005

Signed

Bambi Grabow

BAMBI GRABOW

Print Name

4820 S.W. 76<sup>th</sup> Street, Miami, FL 33143

Mailing Address

(305) 661-0707

Phone

(305) 661-7610

Fax

**REPRESENTATIVE'S AFFIDAVIT**

If you are filing as representative of an association or other entity, so indicate:

Representing

Signature

Print Name

Address

City

State

Zip

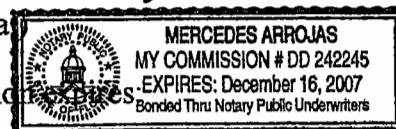
Telephone Number

Subscribed and Sworn to before me on the 23 day of August, year 2005

Notary Public

(stamp/seal)

Commission Expires



**APPELLANT'S AFFIDAVIT OF STANDING**  
(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me the undersigned authority, personally appeared **BAMBI GRABOW** (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☒ 1. Participation at the hearing  
☐ 2. Original Applicant  
☐ 3. Written objection, waiver or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

**Witnesses:**

Tracy Slavens  
Signature

Tracy Slavens  
Print Name

Mercedes Arrojas  
Signature

Mercedes Arrojas  
Print Name

Bambi Grabow  
Appellant's signature

BAMBI GRABOW  
Print Name

Sworn to and subscribed before me on the 23 day of August, year 2005.

Appellant is personally know to me or has produced \_\_\_\_\_ as identification.

Mercedes Arrojas  
Notary  
(Stamp/Seal)  
Commission



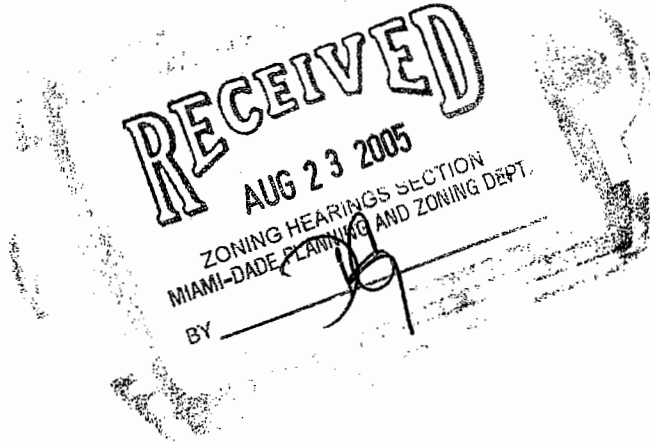
# 3165940\_v1

Juan J. Mayol, Esq.  
305 789 7642  
juan.mayol@hklaw.com

August 23, 2005

VIA HAND DELIVERY

Diane O'Quinn Williams, Director  
Miami-Dade County  
Department of Planning & Zoning  
111 NW 1st Street, 11th Floor  
Miami, Florida 33128



**Re: Ira & Bambi Grabow (collectively, the "Applicant") / Property located at 4820 S.W. 76th Street, in Unincorporated Miami-Dade County, Florida / Public Hearing No. 05-6-CZ12-1/04-270 / Petition for Appeal**

Dear Ms. O'Quinn Williams:

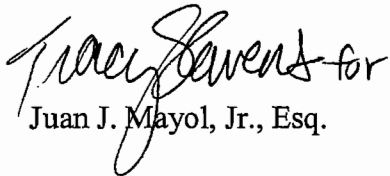
Enclosed please find the Petition of Appeal from the decision of Miami-Dade Community Zoning Appeals Board 12 ("CZAB 12") at its meeting of August 17, 2005, denying the above-referenced zoning application (the "Application"). We respectfully request that the Appeal be scheduled for the next available meeting of the Board of County Commissioners, and submit that the denial of the Application was not based on substantial competent evidence.

The Application requested a district boundary change on 1.438 gross acres, located on the Southwest corner of S.W. 76 Street and S.W. 48 Court (the "Property"), from EU-1 to EU-S or, in the alternative to that request, the Applicant requested a non-use variance to permit a lot with an area of .645 gross acre and a lot with an area of .793 gross acre. The Property is designated Estate Density Residential on the County's Comprehensive Development Master Plan (the "CDMP"). Said designation permits 1 to 2.5 units per acre; the density proposed under the Application is 1.39 units per acre. Both lots will meet and/or exceed all other EU-1 zoning district requirements. In addition, the proposed development is an appropriate transition to the estate homes designated EU-M and the single family homes designated RU-1 located in the vicinity of the Property.

Diana O'Quinn Williams  
August 22, 2005  
Page 2

Based on the foregoing, we respectfully request the Department's favorable consideration of this Petition of Appeal. Thank you for your considerate attention to this matter. As always, please do not hesitate to contact me if you have any additional questions or concerns.

Very truly yours,

for  
Juan J. Mayol, Jr., Esq.

Enclosures

cc: Ira & Bambi Grabow

# 3166622\_v1

**RESOLUTION NO. CZAB12-31-05**

*WHEREAS*, **IRA & BAMBI GRABOW** applied for the following:

- (1) EU-1 to EU-S

OR IN THE ALTERNATIVE TO REQUEST #1, THE FOLLOWING:

- (2) To permit a lot with an area of .645 gross acre and a lot with an area of .793 gross acre (1 gross acre required for each).

Upon a demonstration that the applicable standards have been satisfied, approval of the request may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

A plan is on file and may be examined in the Zoning Department entitled "Specific Purpose Survey, Site Plan, Ira Grabow," as prepared by Robayna and Associates, dated stamped received 4/19/05.

**SUBJECT PROPERTY:** The east 257' of Lots 1 & 2 in Block 3, AMENDED PLAT OF GRANADA PARK, Plat book 40, Page 21.

**LOCATION:** The Southwest corner of S.W. 76 Street & S.W. 48 Court; A/K/A: 4820 S.W. 76 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to EU-S (Item #1) or in the alternative the request to permit a lot with an area of .645 gross acre and a lot with an area of .793 gross acre (Item #2) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny the application without prejudice was offered by Peggy Brodeur, seconded by Carla Savola, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	aye	Carla Savola	aye
Jackie Hernandez-Toraño	aye	Nelson A. Varona	aye
Millie Herrera	nay	Robert W. Wilcosky	aye
Jose I. Valdez	aye		

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12, that the requested district boundary change to EU-S (Item #1) or in the alternative the request to permit a lot with an area of .645 gross acre and a lot with an area of .793 gross acre (Item #2) be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 17<sup>th</sup> day of August, 2005.

Hearing No. 05-6-CZ12-1  
Is



STATE OF FLORIDA

COUNTY OF MIAMI-DADE

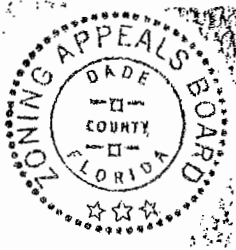
I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-31-05 adopted by said Community Zoning Appeals Board at its meeting held on the 17<sup>th</sup> day of August 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 25<sup>th</sup> day of August 2005.



Luis Salvat, Deputy Clerk (2678)  
Miami-Dade County Department of Planning and Zoning

SEAL



DATE: 04/25/05

REVISION 1

# TEAM METRO

## ENFORCEMENT HISTORY

IRA AND BAMBI GRABOW

Southwest corner of SW 76 Street &  
SW 48 Court aka 4820 S.W. 76  
STREET, MIAMI-DADE COUNTY,  
FLORIDA.

---

APPLICANT

---

ADDRESS

Z2004000270

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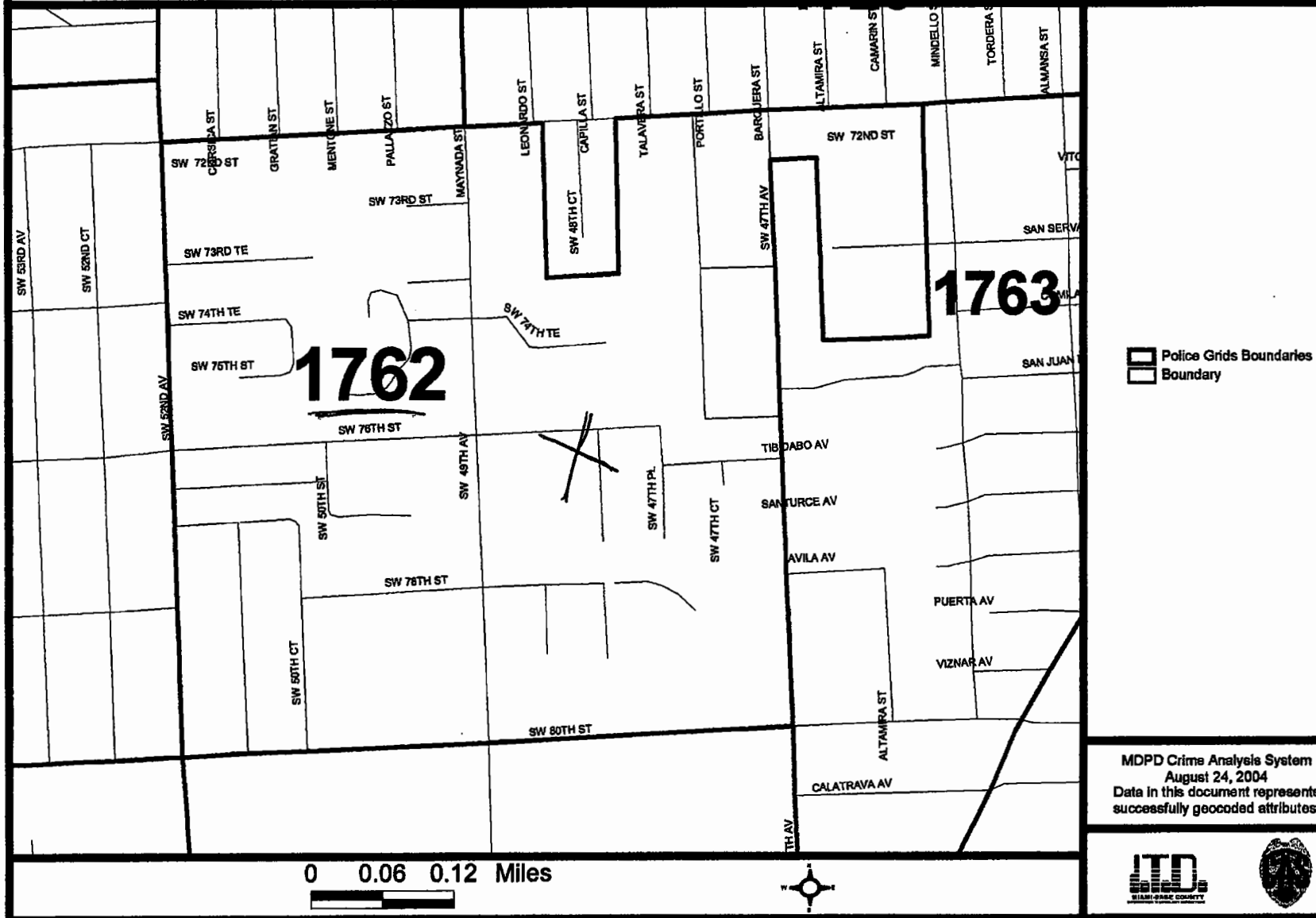
HEARING NUMBER

## CURRENT ENFORCEMENT HISTORY:

04/25/2005 Inspection conducted  
04/25/2005 No current violation



**Miami-Dade Police Department**  
**Target Area - Police Grid(s): 1762**  
**Ira & Bambli Grabow; Hearing # 04-270**





**Miami-Dade Police Department**  
**Address Query for Events occurring at 4820 SW 76 ST**  
**For 2002-01-01 Thru 2002-12-31**

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01" and Dis.Police District Code in ( "A", "B", "C", "D", "E", "F", "J", "K", "L", "M", "N", "P", "Q", "R", "ZZ" ) and Dis.Incident Address contains "4820 SW 76 ST" and Dis.Reporting Agency Code = substring ( "030", 1, 3 ) and Common

Incident Address	Dis	Grid	A O P	Complaint Date	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit
4820 SW 76 ST	K	1762	1	09/19/2002	0521236A		14	18:15:00	18:18:00	18:27:00	K3102
4820 SW 76 ST	K	1762	1	09/19/2002			15	18:18:00	18:18:00	18:27:00	

2



# Miami-Dade Police Department

## Address Query for Events occurring at 4820 SW 76 ST

### For Thru

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01" and Dis.Police District Code in ( "A", "B", "C", "D", "E", "H", "I", "J", "K", "L", "M", "N", "P", "Q", "R", "ZZ" ) and Dis.Incident Address contains "4820 SW 76 ST" and Dis.Reporting Agency Code = substring ( "030", 1, 3 ) and Common

Incident Address	Dis	Grid	A O P	Complaint Date	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit
		1762									

*D*



Miami-Dade Police Department

# **Miami-Dade Police Department Summarized Grid Information By Signal For 2002-01-01 Thru 2002-12-31**

Crime Information Warehouse

Detail Filter: ( Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01" ) and ( Dis.Grid In ( "1762" ) ) and ( ( Dis.Signal Code In ( "13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55" ) or ( ALL in ( "13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55" ) ) ) and Common and ( Dis.Reporting Agency Code = subsetting ( "030" , 1 , 3 ) )

Grid	Signal Code	Signal Description	Total
1762	13	SPECIAL INFORMATION/ASSIGNM	12
	14	CONDUCT INVESTIGATION	53
	15	MEET AN OFFICER	203
	17	TRAFFIC ACCIDENT	7
	18	HIT AND RUN	1
	20	TRAFFIC DETAIL	6
	22	AUTO THEFT	1
	25	BURGLAR ALARM RINGING	158
	26	BURGLARY	17
	27	LARCENY	8
	28	VANDALISM	7
	32	ASSAULT	1
	34	DISTURBANCE	23
	36	MISSING PERSON	2
	37	SUSPICIOUS VEHICLE	4
	38	SUSPICIOUS PERSON	7
	39	PRISONER	1
	41	SICK OR INJURED PERSON	6
	43	BAKER ACT	1
	45	DEAD ON ARRIVAL	1
	49	FIRE	1
	52	NARCOTICS INVESTIGATION	1
	54	FRAUD	5



Miami-Dade Police Department

# Miami-Dade Police Department Summarized Grid Information By Signal For 2002-01-01 Thru 2002-12-31

Crime Information Warehouse

Detail Filter: ( Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01" ) and ( Dis.Grid In ( "1762" ) ) and ( ( Dis.Signal Code In ( "13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55" ) or ( 'ALL' In ( "13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55" ) ) ) and Common and ( Dis.Reporting Agency Code = substring ( "030", 1, 3 ) )

Grid	Signal Code	Signal Description	Total
Total Signals for Grid 1762 :		526	
Total Reported: 323		Total Not Reported: 203	

Total for All Grids : 526



Miami-Dade Police Department

# **Miami-Dade Police Department Summarized Grid Information By Signal For 2003-01-01 Thru 2003-12-31**

Crime Information Warehouse

Detail Filter: ( Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01" ) and ( Dis.Grid in ( "1762" ) ) and ( ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) or ( 'ALL' in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) ) and Common and ( Dis.Reporting Agency Code = substring ( "030", 1, 3 ) )

Grid	Signal Code	Signal Description	Total
1762	13	SPECIAL INFORMATION/ASSIGNM	6
	14	CONDUCT INVESTIGATION	41
	15	MEET AN OFFICER	145
	17	TRAFFIC ACCIDENT	9
	19	TRAFFIC STOP	2
	20	TRAFFIC DETAIL	3
	22	AUTO THEFT	1
	25	BURGLAR ALARM RINGING	86
	26	BURGLARY	15
	27	LARCENY	4
	28	VANDALISM	6
	32	ASSAULT	6
	33	SEX OFFENSE	1
	34	DISTURBANCE	25
	36	MISSING PERSON	1
	37	SUSPICIOUS VEHICLE	1
	38	SUSPICIOUS PERSON	1
	41	SICK OR INJURED PERSON	6
	49	FIRE	1
Total Signals for Grid 1762 :			360
Total Reported: 237			Total Not Reported: 123

Total for All Grids : 360





Miami-Dade Police Department

**MIAMI-DADE POLICE DEPARTMENT**  
**Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**From 2002-01-01 Thru 2002-12-31**

**YEAR: 2002**

Crime Information Warehouse

Grid(s): 1762

Part I Crimes	Total Crimes
Grid 1762	
130A - AGGRAVATED ASSAULT	2
2200 - BURGLARY	7
230F - SHOPLIFTING FROM A MOTOR VEHICLE	5
230G - SHOPLIFTING ALL OTHERS	4
2400 - MOTOR VEHICLE THEFT	1
Grid 1762 TOTAL	19
Total Part I :	19



Miami-Dade Police Department

**MIAMI-DADE POLICE DEPARTMENT**  
**Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**From 2002-01-01 Thru 2002-12-31**

**YEAR: 2002**

Crime Information Warehouse

Grid(s): 1762

<b>PART II Crimes</b>	<b>Total Crimes</b>
<b>Grid 1762</b>	
<b>350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF</b>	<b>1</b>
<b>260A - FRAUD CON/SWINDLE/FALSE PRET.</b>	<b>1</b>
<b>260B - FRAUD CREDIT CARD/ATM</b>	<b>2</b>
<b>Grid 1762 TOTAL</b>	<b>4</b>
<b>Total PART II:</b>	<b>4</b>

**Grand Total: 23**

Detail Filter: Ol.Incident From Date Time >= "2002-01-01" and Ol.Incident From Date Time < "2003-01-01" and Ol.Offense.Ucr Code in ( '090A', '1200', '110A', '110B', '110C', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000' ) and ( Ol.Reporting Agency Code = substring ( "030", 1, 3 ) ) and Ol.Aoa Agency Code = "000" and Ol.Clearance Type Description <> "UNFOUNDED" and Ol.Report Written YN = "Y" and Ol.Grid in ( "1762" )



Miami-Dade Police Department

**MIAMI-DADE POLICE DEPARTMENT**  
**Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**From 2003-01-01 Thru 2003-12-31**

**YEAR: 2003**

Crime Information Warehouse

Grid(s): 1762

Part I Crimes	Total Crimes
Grid 1762	
2200 - BURGLARY	4
230F - SHOPLIFTING FROM A MOTOR VEHICLE	6
230G - SHOPLIFTING ALL OTHERS	3
2400 - MOTOR VEHICLE THEFT	1
Grid 1762 TOTAL	14
Total Part I:	14



Miami-Dade Police Department

**MIAMI-DADE POLICE DEPARTMENT**  
**Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**From 2003-01-01 Thru 2003-12-31**

**YEAR: 2003**

Crime Information Warehouse

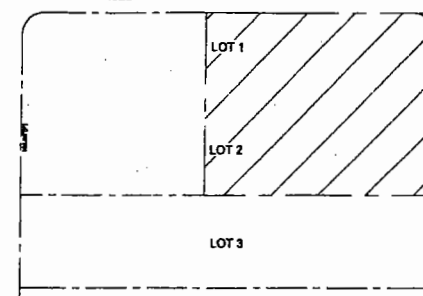
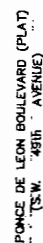
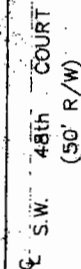
Grid(s): 1762

<b>PART II Crimes</b>	<b>Total Crimes</b>
<b>Grid 1762</b>	
<b>130B - SIMPLE ASSAULT</b>	<b>6</b>
<b>260A - FRAUD CON/SWINDLE/FALSE PRET.</b>	<b>1</b>
<b>Grid 1762 TOTAL</b>	<b>7</b>
<b>Total PART II :</b>	<b>7</b>

**Grand Total: 21**

Detail Filter: Ol.Incident From Date Time >= "2003-01-01" and Ol.Incident From Date Time < "2004-01-01" and Ol.Offense.Ucr Code In ( '090A', '1200', '110A', '110B', '110C', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000' ) and ( Ol.Reporting\_Agency\_Code = substring ( "030", 1, 3 ) ) and Ol.Aoa Agency Code = "000" and Ol.Clearance Type Description <> "UNFOUNDED" and Ol.Report Written YN = "Y" and Ol.Grid In ( "1762" )

N 90°00'00"E 538.04'  
S.W. 76th STREET. (50' R/W)



LOCATION MAP — NOT TO SCALE

MR. & MRS. IRA GRABOW  
4620 SW 76 STREET  
MIAMI, FLORIDA 33143

# SITE SUMMARY

**LEASE DESCRIPTION**  
100% INTEREST IN LOT 1 AND 2, 30 AC BLK 5, OF "HARRISON PLAT OF BRANCHES PLAT LOCATED IN THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, 17 PAGE 16, OF THE PUBLIC RECORDS OF HARRISON COUNTY, FLORIDA.

**FILE NUMBER** 20-100-000-000

**PARTICULAR ADDRESS** 20-100-000-000

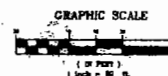
**OWNER** B&L

**LIST AREA** 200 AC

**PROPOSED DEVELOPMENT** 1. 20 AC BLK 5, 17 AC ADJACENT  
2. 20 AC BLK 5, 17 AC ADJACENT  
3. 20 AC BLK 5

**LIST INFORMATION**

	PLAT	FILE NO.	BLK	AC.	BLK	AC.
LIST AREA	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
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AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
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BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
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BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
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AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
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AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
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BLK	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000
AC	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	20-100-000-000	2



1. THIS IS NOT A SURVEY. THE BASIC PURPOSE OF THIS MAP IS TO DEPICT THE SITE  
 PLANT WITH THE BUILDING REMAINS ONLY.  
 2. AND UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED.  
 3. NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY, AND OWNERSHIP WERE FURNISHED TO THIS SURVEYOR.  
 4. THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON AND THE CERTIFICATION HEREON DOES NOT EXTEND TO ANY UNRELATED PARTY.  
 5. RECORD AND MEASUREMENT CALLS ARE IN SUBSTANTIAL AGREEMENT.  
 6. THIS VALUE WITHOUT THE SIGNATURE AND THE OFFICIAL NAMED SEAL OF A FLORIDA LICENSED SURVEYOR AND N/A.  
 7. BECAUSE THERE IS NO RECORD OR ANY ASSUMED BEARINGS OF HIS "BORNS" ABOVE THE CERTIFICATES OF ANY OTHER SURVEY AND REFER TO ANGLE AS SHOWN HEREON.  
 8. DIMENSIONS SHOWN ARE MEASURED AND RECORD ON LESS OR MORE THAN NOTED.

## DESCRIPTION



## SITE PLAN

RECEIVED  
04.270  
APR 19 2005  
ZONING HEARINGS SECTION  
WHAHA-DADE PLANNING AND ZONING DEPT.  
BY  
LOE

37

S.W. 48th COURT

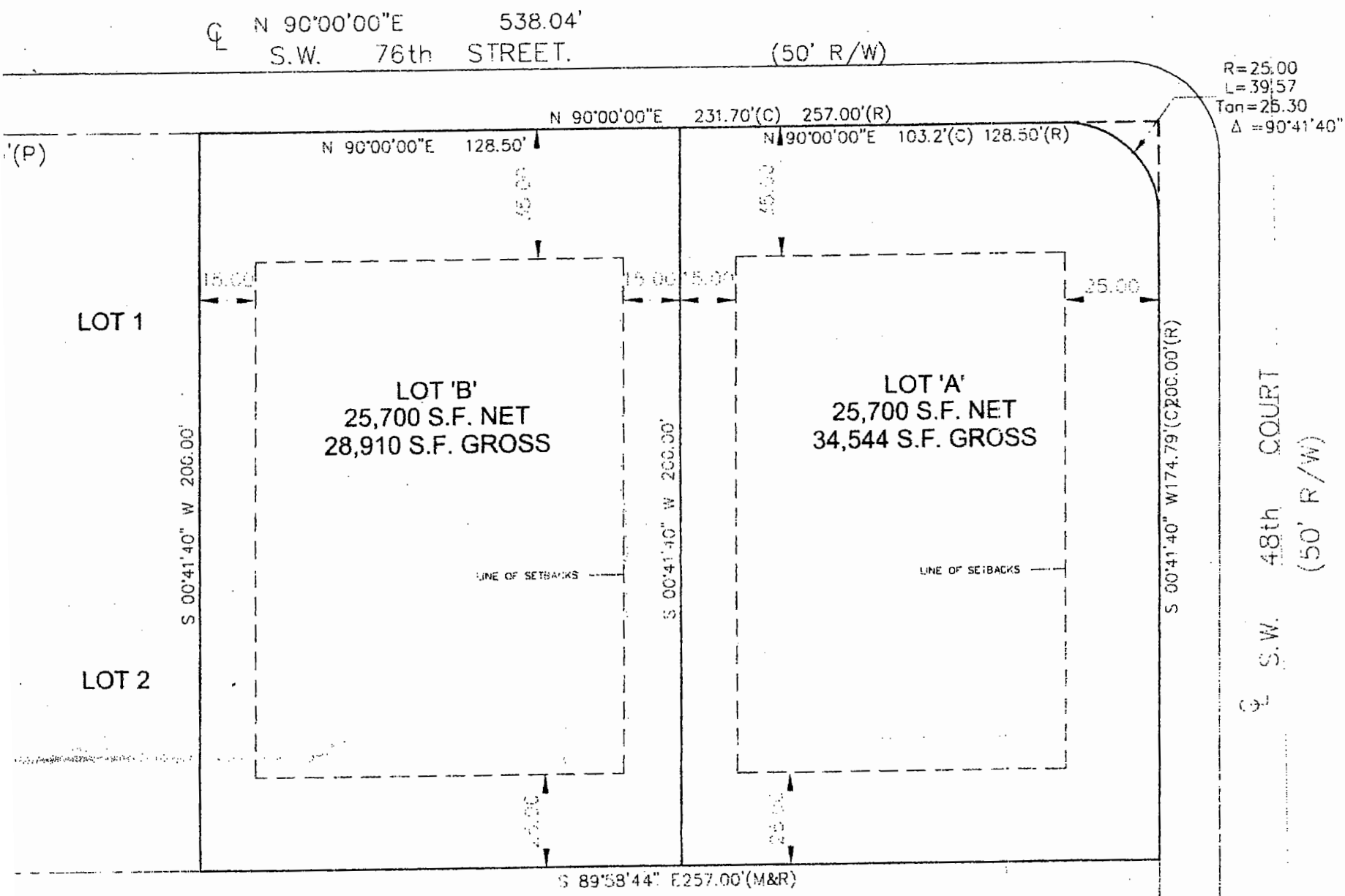
**ROBAYNA**  
AND ASSOCIATES, INC.  
ENGINEERS PLANNERS SURVEYORS  
2000 N.W. 11th STREET  
MIAMI LAKES, FL 33194  
(305) 673-8100

DATE	SPECIFIC PURPOSE SURVEY
FILE	SITE PLAN
FILE	BA CRADOW

08-23-200  
08-23-200  
040285

PURPOSE SURVEY

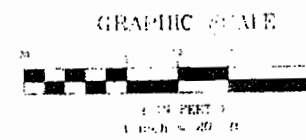
38



R=25.00  
L=39.57  
Tan=25.30  
Δ=90°41'40"

S.W. 48th COURT  
(50' R/W)

PONCE DE LEON BOULEVARD (PLAT)  
(S.W. 49th AVENUE)



RECEIVED  
204-270  
SEP 22 2001

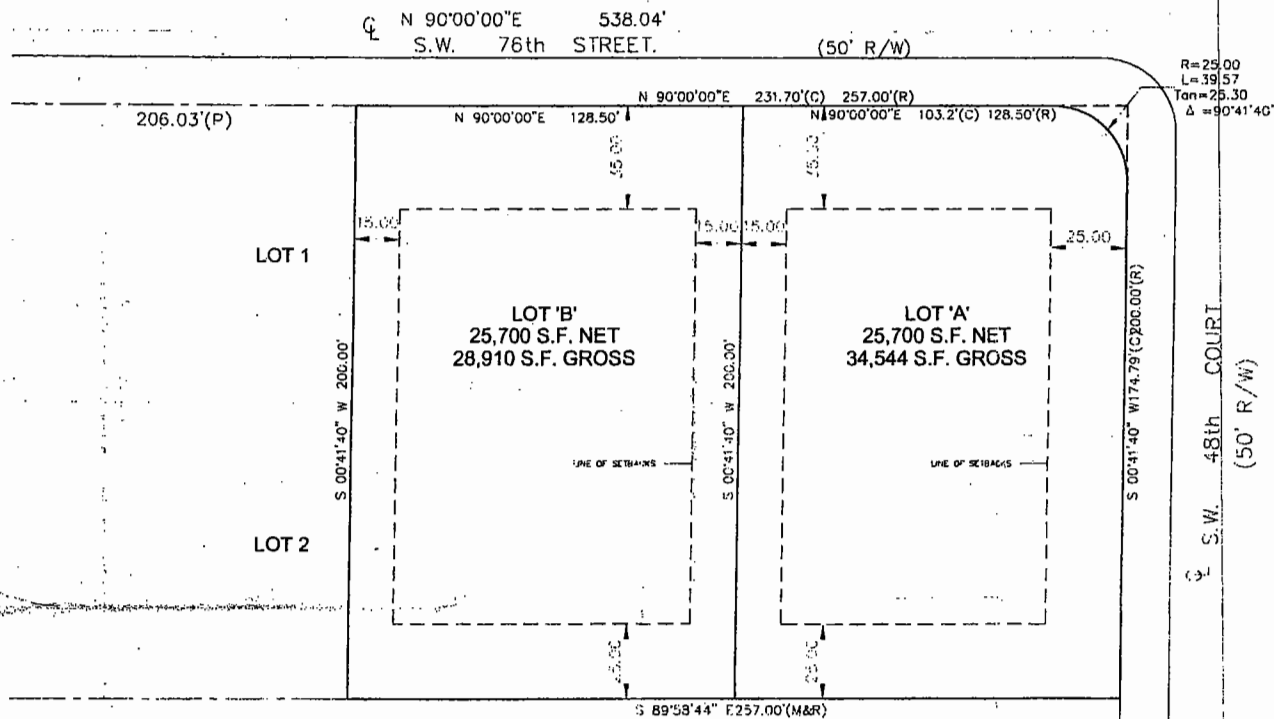
LOT 3

Jorge

04-270

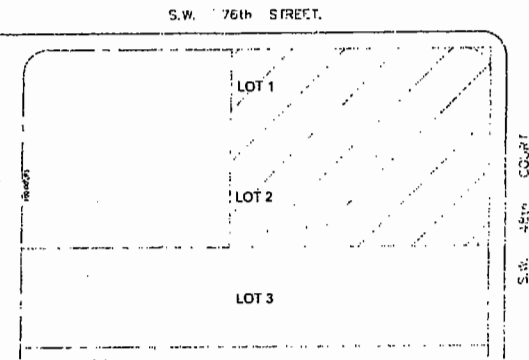
39

**SPECIFIC PURPOSE SURVEY**



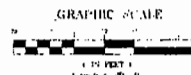
R=25.00  
 L=39.57  
 Tan=25.30  
 $\Delta = 90^{\circ}41'40"$

POND DE LEON BOULEVARD (PLAT)  
 (S.W. 48th AVENUE)



LOCATION MAP  
 NOT TO SCALE  
 MR. & MRS. J.R. GRABOW  
 4810 SW 76th STREET  
 MIAMI, FLORIDA 33143

SITE SUMMARY			
LEGAL DESCRIPTION: THE EAST 287 FEET OF LOTS 1 AND 2 IN BLOCK 3, OF "AMENDED PLAT OF GRANADA PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 40, AT PAGE 21, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.			
TRACED BOUNDARY	12-127-12-127-127	12-127-12-127-127	
PROPERTY ADDRESS	4810 SW 76th STREET	4810 SW 76th STREET	
OWNER	MR. & MRS. J.R. GRABOW	MR. & MRS. J.R. GRABOW	
LOT AREA	127-127	127-127	
PROPOSED "LOT 1" AREA	127-127	127-127	
LOT 1 SUMMARY			
LOT 1 AREA	127-127	127-127	
LOT 1 GROSS	127-127	127-127	
LOT 1 NET	127-127	127-127	
LOT 1 SETBACKS	127-127	127-127	
FRONT	127-127	127-127	
REAR	127-127	127-127	
LOT 1 STREET	127-127	127-127	
LOT 1 SETBACK	127-127	127-127	
LOT 1 SETBACK	127-127	127-127	
LOT 2 SUMMARY			
LOT 2 AREA	127-127	127-127	
LOT 2 GROSS	127-127	127-127	
LOT 2 NET	127-127	127-127	
LOT 2 SETBACKS	127-127	127-127	
FRONT	127-127	127-127	
REAR	127-127	127-127	
LOT 2 STREET	127-127	127-127	
LOT 2 SETBACK	127-127	127-127	
LOT 2 SETBACK	127-127	127-127	



**NOTES:**

- 1) THIS IS NOT A SURVEY. THE SPECIFIC PURPOSE OF THIS MAP IS TO DEPICT THE SITE PLAN WITH THE BUILDING SETBACKS ONLY.
- 2) NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED.
- 3) NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR.
- 4) THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON AND THE CERTIFICATION HEREON DOES NOT EXTEND TO ANY UNNAMED PARTY.
- 5) RECORD AND MEASUREMENT CALLS ARE IN SUBSTANTIAL AGREEMENT.
- 6) NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 7) BEARINGS SHOWN ARE BASED UPON AN ASSUMED BEARING OF N90°00'00"E ALONG THE CENTERLINE OF SW 76th STREET AND REFER TO ANGLE AS SHOWN HEREON.
- 8) DIMENSIONS SHOWN ARE MEASURED AND RECORD ON LESS OTHERWISE NOTED.

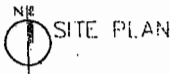
**RECEIVED**  
 04-270  
 SEP 22 2004

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.

BY *[Signature]*

**LEGAL DESCRIPTION**

THE EAST 287 FEET OF LOTS 1 AND 2 IN BLOCK 3, OF "AMENDED PLAT OF GRANADA PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 40, AT PAGE 21, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.



1"=20'-0"

DATE	
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MIAMI-DADE COUNTY  
**AERIAL**

Section: 31 Township: 54 Range: 41  
Process Number: 04-270  
Applicant: IRA & BAMBI GRABOW  
District Number: 07  
Zoning Board: C12  
Drafter ALFREDO  
Scale: NTS

S C A L E  
0 NTS N

 SUBJECT PROPERTY



**B. IRA AND BAMBI GRABOW**  
**(Applicant)**

**05-6-CZ12-1 (04-270)**  
**Area 12/District 7**  
**Hearing Date: 8/17/05**

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☐/ lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☐ No ☒

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
--------------------	-------------------------	-----------------------	---------------------	------------------------

NONE

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 12  
MOTION SLIP

APPLICANT'S NAME: IRA & BAMBI GRABOW

1

REPRESENTATIVE: JUAN MAYOL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
05-6-CZ12-1 (04-270)	JUNE 20, 2005	CZAB12		05

**REQ:** (1) EU-1 to EU-S OR IN THE ALTERNATIVE TO REQUEST #1, THE FOLLOWING:  
(2) Lot area of 0.645 gross ac. & 0.793 gross acre (1 gross acre required for each).

**REC:** DWOP #1 APPROVE #2 PER 33-311(A)(4)(b) & DWOP PER 33-311(A)(14) & (A)(4)(c)

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S):	
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>AUG. 17, 2005</u>	<input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE	
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS		
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT	<input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS		
<input checked="" type="checkbox"/> <b>NOTE: Bd. requested applicant to provide bldg. details/plans for houses.</b>			

TITLE	M/S	NAME	YES	NO	ABSENT
MS.		Peggy BRODEUR		X	
MS.		Jackie HERNANDEZ-TORAÑO	X		
MADAME VICE-CHAIR	M	Millie HERRERA	X		
MS.		Carla SAVOLA	X		
MR.	S	Nelson A. VARONA	X		
MR.		Robert W. WILCOSKY	X		
CHAIRMAN		Jose I. VALDES (C.A.)	X		
VOTE:			6	1	

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: JAY WILLIAMS

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO COMMUNITY COUNCIL No. 12**

**APPLICANT:** Ira and Bambi Grabow

**PH:** Z04-270 (05-06-CZ12-1)

**SECTION:** 31-54-41

**DATE:** August 17, 2005

**COMMISSION DISTRICT:** 7

**ITEM NO.:** B

**A. INTRODUCTION**

o **REQUEST:**

1. EU-1 to EU-S

or in the alternative to request #1:

2. Applicant is requesting to permit a lot with an area of .645 gross acre and a lot with an area of .793 gross acre (1 gross acre required for each).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-use Variance) or (c) (Alternative Non-use Variance).

A plan is on file and may be examined in the Zoning Department entitled "Specific Purpose Survey, Site Plan, Ira Grabow," as prepared by Robayna and Associates, dated stamped received 4/19/05. Plan may be modified at public hearing.

o **SUMMARY OF REQUEST:**

The requests will allow the applicant to change the zoning on the property from EU-1, Single-Family One Acre Estate Residential District, to EU-S, Estate Use Suburban Residential District, or in the alternative, to permit a lot with an area of .645 gross acre and a lot with an area of .793 gross acre to allow the resubdivision of the subject EU-1 zoned parcel into two lots with less lot area than required by zoning regulations.

o **LOCATION:**

Southwest corner of SW 76 Street and SW 48 Court, a/k/a 4820 SW 76 Street, Miami-Dade County, Florida.

o **SIZE:** 1.438 gross acres

o **IMPACT:**

The approval of the requested district boundary change or the alternative request for lots with less area than required by zoning district regulations will provide 1 additional housing unit for the community that will have a minimal impact on public services.

**B. ZONING HEARINGS HISTORY:** None

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **estate density residential**.

**Estate Density Residential**

This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.

**D. NEIGHBORHOOD CHARACTERISTICS:**

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du/a

Surrounding Properties:

NORTH: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du/a

SOUTH: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du/a

EAST: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du/a

WEST: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du/a

The subject property is located on the southwest corner of SW 48 Court and SW 76 Street. The area surrounding the subject property is predominately developed with single-family homes.

**E. SITE AND BUILDINGS:**

**Site Plan Review:**

(site plan submitted)

Scale/Utilization of Site:

**Acceptable**

Location of Buildings:

**Acceptable**

Compatibility:

**Acceptable**

Landscape Treatment:

**N/A**

Open Space:

**N/A**

Buffering:

**N/A**

Access:

**N/A**

Parking Layout/Circulation:

**N/A**

Visibility/Visual Screening:

**N/A**

Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

**F. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(F)**

In evaluating an application for a **district boundary change**, the Board shall take into consideration, among other factors the extent to which the development permitted by the application if granted:

- (1) Conform to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) Will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) Will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) Will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) Will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

**Section 33-311(A)(14) Alternative Site Development Option for Single Family and Duplex Dwellings**

The following standards are alternatives to the generalized standards contained in zoning regulations governing specified zoning districts:

- (d) The **lot area, frontage, or depth** for a single family or duplex dwelling shall be approved upon demonstration of at least one of the following:

1. the proposed lot area, frontage or depth will permit the development or redevelopment of a single family or duplex dwelling on a parcel of land where such dwelling would not otherwise be permitted by the underlying district regulations due to the size or configuration of the parcel proposed for alternative development, provided that:
  - A. the parcel is under lawful separate ownership from any contiguous property and is not otherwise grandfathered for single family or duplex use; and
  - B. the proposed alternative development will not result in the further subdivision of land; and
  - C. the size and dimensions of the lot are sufficient to provide all setbacks required by the underlying district regulations; and
  - D. the lot area is not less than ninety percent (90%) of the minimum lot area required by the underlying district regulations; and
  - E. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - F. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and
  - G. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
2. the proposed alternative development will result in open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not otherwise achievable through application of the underlying district regulations, provided that:
  - A. the density of the proposed alternative development does not exceed that permitted by the underlying district regulations; and
  - B. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002); and
  - C. each lot's area is not less than eighty percent (80%) of the lot area required by the underlying district regulations; and

- D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and
  - F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
3. the proposed lot area, frontage or depth is such that:
- A. the proposed alternative development will not result in the creation of more than three (3) lots; and
  - B. the size and dimensions of each lot are sufficient to provide all setbacks required by the underlying district regulations; and
  - C. no lot area shall be less than the smaller of:
    - i. ninety percent (90%) of the lot area required by the underlying district regulations; or
    - ii. the average area of the developed lots in the immediate vicinity within the same zoning district; and
  - D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and
  - F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
4. If the proposed alternative development involves the creation of new parcels of smaller than five (5) gross acres in an area designated agricultural in the Comprehensive Development Master Plan:
- A. the abutting parcels are predominately parcelized in a manner similar to the proposed alternative development on three (3) or more sides of the parcel proposed for alternative development; and
  - B. the division of the parcel proposed for alternative development will not precipitate additional land division in the area; [and]



- C. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations; and
  - D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the surrounding area defined by the closest natural and man-made boundaries lying with [in] the agricultural designation; and
  - E. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
- (g) Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:
- 1. will result in a significant diminution of the value of property in the immediate vicinity; or
  - 2. will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or
  - 3. will result in a materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or
  - 4. will combine severable use rights obtained pursuant to Chapter 33B of this code in conjunction with the approval sought hereunder so as to exceed the limitations imposed by section 33B-45 of this code.
- (h) Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:
- A. the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space,

transportation, aesthetic amenities, and buffering from adverse impacts;  
and

- B. the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

**Section 33-311 (A)(4)(b). Non-use variances from other than airport regulations:**

Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

**Section 33-311(A)(4)(c) Alternative non-use variance standard.** Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

**G. NEIGHBORHOOD SERVICES:**

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

\*Subject to the conditions as stated in the attached memoranda.

H. ANALYSIS:

This application was deferred from the June 20, 2005 zoning hearing to the August 17, 2005 hearing with leave to amend to allow applicant to submit detailed floor and elevation plans. At the time of this review, new plans had not been submitted.

The subject property is located on the southwest corner of SW 48 Court and SW 76 Street and developed with a single-family residence. The applicant is seeking to rezone the property from EU-1, Single-Family One Acre Estate District, to EU-S, Estate Use Suburban Residential District, or in the alternative, to resubdivide the subject parcel into two EU-1 (Single-Family One Acre Estate District) zoned lots with less lot area than required by zoning regulations in order to develop two single-family home sites. The site plan submitted indicates the development of two lots (Lot 'A' and Lot 'B'), each with 25,700 sq. ft. of net lot area. Lot A will have a gross area of 34,544 sq. ft. and lot B will have an area of 28,910 gross sq. ft. However, EU-1 zoning standards require a minimum of 1 acre gross lot area (43,560 sq. ft). All of the parcels immediately surrounding the subject property are zoned EU-1 and are developed with single-family homes.

The Department of Environmental Resources Management (DERM) **does not object** to this application and states that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department does not object** to this application. The land will require platting in accordance with Chapter 28 of the Miami-Dade County Code and road dedications and improvements will be accomplished through the recording of a plat. According to their memorandum, this application meets traffic concurrency since it lies within the urban infill area where traffic concurrency does not apply.

This application would permit the applicant to provide additional housing for the community. The Land Use Plan (LUP) map of the CDMP designates this site for estate density residential use that permits a maximum of 2.5 units per gross acre, and would allow the applicant to develop the site with a maximum of 3 residential units. As such, the development of the subject property with two residential lots as proposed by the applicant is deemed to be **consistent** with the Land Use Plan map. Staff notes that the subject property is completely surrounded by EU-1 zoning and lies east of SW 50 Avenue, between SW 72 Street and N. Kendall Drive where the predominant zoning is EU-1. Introducing an EU-S district amidst the EU-1 zoning district surrounding the subject property would be **incompatible** with the established development trend in this area of Miami-Dade County. Further, approving the EU-S zone change would set a precedent in the area for similar zoning and could potentially foster the introduction of more intensive residential zoning districts.

Notwithstanding the aforementioned, to the west is a pocket of EU-M, Estate Modified Residential District, and to the east and south are pockets of RU-1, Single Family Residential District, zoned lots. In addition, a number of the platted EU-1 parcels surrounding the subject property have less than the 1-acre gross area required by zoning regulations. In staff's

opinion, the proposed resubdivision of the subject property into two lots with net areas of 25,700 sq. ft. will be **compatible** with the surrounding neighborhood.

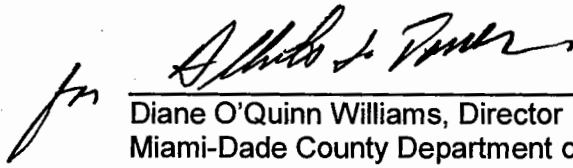
When analyzing request #2 under Section 33-311(A)(14), the Alternative Site Development Option for Single-Family and Duplex Dwellings, the proposed development will not result in an obvious departure from the aesthetic character of the immediate vicinity; the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the CDMP; and sufficient frontage is maintained to permit vehicular access to all resulting lots. However, the lot area is less than ninety percent (90%) of the minimum lot area required by the underlying district regulations. Ninety percent (90%) of the EU-1 lot area (43,560 sq. ft. gross) is 39,204 sq. ft. gross where only 34,544 sq. ft. gross is provided for Lot 'A' and 28,910 sq. ft. gross is provided for Lot 'B'. As such, request #2 cannot be approved under Section 33-311(A)(14) (Alternative Site Development Option for Single Family and Duplex Dwellings).

Section 33-311(A)(4)(b), the Non-Use Variance Standards, indicates that the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. In staff's opinion, request #2 which seeks to resubdivide the property into two EU-1 zoned lots with less area than required by zoning regulations will not be incompatible with the area concerned since there are a number of lots in the vicinity that are similar or less in size than those requested by the subject application. As previously mentioned, to the west of the subject property is a pocket of EU-M, Estate Modified Residential District, with lots ranging in size from approximately 19,072 sq. ft. to 22,230 sq. ft. and to the east and south are pockets of RU-1, Single Family Residential District, with lots ranging from 8,687 sq. ft. to 11,700 sq. ft. A number of the platted EU-1 parcels surrounding the subject property have less than the 1-acre gross area required by zoning regulations. The EU-1 parcel on the northeast corner of Ponce De Leon Boulevard and SW 76 Street is 23,958 sq. ft., the EU-1 zoned parcel immediately east of the subject property is 33,106 sq. ft., another EU-1 parcel located two lots removed to the south is 23,087 sq. ft. In staff's opinion, the approval of the resubdivision of the subject 1.2-acre parcel into two 25,700 sq. ft. lots will be **compatible** with the surrounding community and will maintain the stability and residential appearance of same. Accordingly, staff recommends approval of request #2 of this application under Section 33-311(A)(4)(b) (Non-Use Variance).

When analyzed under Section 33-311(A)(4)(c), the Alternative Non-Use Variance Standards, the applicant would have to prove that request #2, to resubdivide the 1.2-acre subject parcel into two lots is due to an unnecessary hardship and that, if the request is denied, such denial would not permit the reasonable use of the premises. Since the applicants could use the property in accordance with the underlying zoning regulations, staff recommends denial without prejudice of request #2 under Section 33-311(A)(4)(c) (Alternative Non-Use Variance Standards).

- I. **RECOMMENDATION:** Denial without prejudice of the district boundary change to EU-S (request #1); Approval of request #2 under Section 33-311(A)(4)(b) (NUV); denial without prejudice of request #2 under Section 33-311(A)(14) (ASDO) and Section 33-311(A)(4)(c) (ANUV).
- J. **CONDITIONS:** None

**DATE INSPECTED:** 01/04/05  
**DATE TYPED:** 02/06/05  
**DATE REVISED:** 02/10/05, 03/15/05, 03/17/05, 03/18/05, 04/28/05, 05/09/05, 05/13/05,  
05/19/05, 07/08/05, 07/21/05  
**DATE FINALIZED:** 06/02/05, 07/08/05, 07/21/05  
DO'QW:AJT:MTF:LVT:GB

  
\_\_\_\_\_  
Diane O'Quinn Williams, Director  
Miami-Dade County Department of  
Planning and Zoning

## Memorandum



**Date:** August 12, 2004

**To:** Diane O'Quinn-Williams, Director  
Department of Planning and Zoning

**From:**   
Alyce M. Robertson, Assistant Director  
Environmental Resources Management

**Subject:** C-12 #Z2004000270  
Ira and Bambi Grabow  
4820 SW 76<sup>th</sup> Street  
DBC from EU-1 to EU-S  
(EU-1) (1.2 Ac.)  
31-54-41

**RECEIVED**  
AUG 17 2004

MIAMI-DADE COUNTY  
DIRECTOR'S OFFICE  
DEPT. OF PLANNING & ZONING

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply:

Public water can be made available to this site, therefore, connection will be required.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Sewer Service:

Sanitary sewers are presently approximately 4,300 feet from this site, however, DERM has no objection to low intensity development served by interim septic tanks provided that the proposed lots are connected to the public water supply system, and that the maximum sewage loading allowed by the Code is not exceeded. Based on available information, the proposed use served with septic tanks would not exceed the maximum allowable sewage loading for the subject site.

Stormwater Management:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A No-Notice General Environmental Resource Permit from DERM shall be required for the drainage system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Tree Preservation:

An on-site inspection performed by DERM staff revealed the presence of specimen-sized (trunk diameter  $\geq 18"$ ) trees including one specimen-sized live oak tree, one pongam and one java plum tree. Section 24-60 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized trees, as defined in the Code, which are on the site. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. A tree survey showing all the tree resources on site will be required prior to reviewing the tree removal permit application. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z  
Ron Connally, Zoning Hearings- P&Z  
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

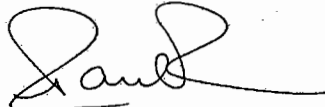
**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: IRA AND BAMBI GRABOW

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.



Raul A Pino, P.L.S.

27-SEP-04



# MEMORANDUM

**TO:** Dianne O'Quinn Williams, Director  
Planning and Zoning Department

**DATE:** 11-AUG-04

**FROM:** Antonio Bared, Fire  
Chief

**SUBJECT:** Z2004000270

**Fire Prevention Unit:**

OK OK

Development for the above Z2004000270  
located at 4820 S.W. 76 STREET, MIAMI-DADE COUNTY, FLORIDA.  
in Police Grid \_\_\_\_\_ is proposed as the following:

_____ single	dwelling units	_____ industrial	square feet
_____ multifamily	dwelling units	_____ institutional	square feet
_____ commercial	square feet	_____ nursing home	square feet

Based on this development information, estimated service impact is  
\_\_\_\_\_ alarms annually.

Planned service(s) to mitigate the impact is:

\_\_\_\_\_  
Station/Unit

\_\_\_\_\_  
Estimated date of opening

At this time, Miami-Dade Fire Rescue can/cannot accomodate the  
additional projected service impact.

# TEAM METRO

## ENFORCEMENT HISTORY

IRA AND BAMBI GRABOW

Southwest corner of SW 76 Street &  
SW 48 Court aka 4820 S.W. 76  
STREET, MIAMI-DADE COUNTY,  
FLORIDA.

---

APPLICANT

---

ADDRESS

---

Z2004000270

---

HEARING NUMBER

## CURRENT ENFORCEMENT HISTORY:

02/25/05 Inspection conducted  
02/25/2005 No current violations

L. Cuellar

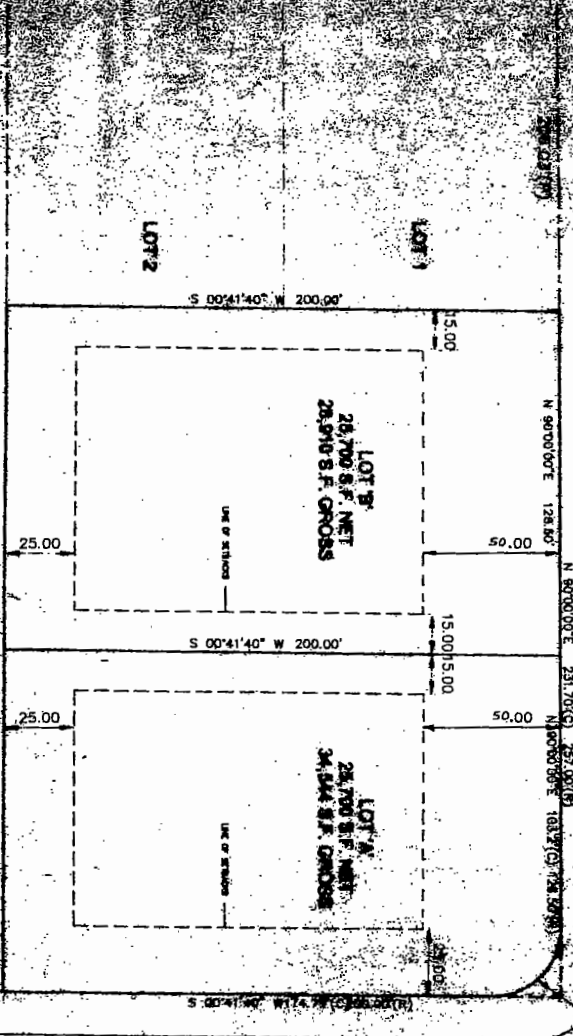
**SPECIFIC PURPOSE SURVEY**

N 90°00'00"E 538.04'  
S.W. 76th STREET

(50' R/W)

P-15.00  
L-15.00  
B-15.00  
N 90°00'00"E 231.70'(C) 257.00'(C)  
N 90°00'00"E 183.27'(C) 128.50'(C)  
S 00°41'40" W 200.00'

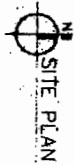
S.W. 48th COURT  
(50' R/W)



LOT 3

LOT 2

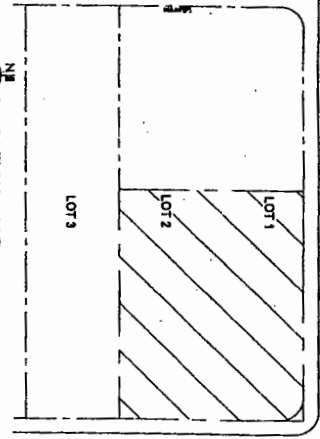
LOT 1



RECEIVED  
APR 19 2015  
PLANNING AND ZONING DEPT.  
DOE



PONCE DE LEON BOULEVARD (PLAT)  
(S.W. 49th AVENUE)



LOCATION MAP  
NOT TO SCALE  
S.W. 76th STREET  
S.W. 48th COURT  
PONCE DE LEON BOULEVARD (PLAT)  
S.W. 49th AVENUE

SITE SUMMARY	
Project Name	Specific Purpose Survey
Project Address	S.W. 76th Street, S.W. 48th Court
Project Owner	IRA GRABOW
Project Engineer	Robblyna and Associates, Inc.
Project Date	04-23-2014
Project Status	Final
Project Notes	See attached drawings for details.
Project Description	Survey of three lots (Lot 1, Lot 2, Lot 3) for specific purpose.
Project Area	Approximately 100,000 sq. ft.
Project Boundaries	See drawings for lot boundaries and easements.
Project Easements	See drawings for easement locations and widths.
Project Utilities	See drawings for utility locations and depths.
Project Access	See drawings for access points and easements.
Project Surroundings	See location map for surrounding streets and landmarks.
Project Notes	See attached drawings for details.

**NOTES:**

1. THIS SURVEY IS FOR THE SPECIFIC PURPOSE OF THE LAND IS TO DEPICT THE SITE  
2. ALL DIMENSIONS AND BEARINGS ARE BASED ON THE SURVEY DATA PROVIDED.  
3. ALL DIMENSIONS AND BEARINGS ARE BASED ON THE SURVEY DATA PROVIDED.  
4. ALL DIMENSIONS AND BEARINGS ARE BASED ON THE SURVEY DATA PROVIDED.  
5. ALL DIMENSIONS AND BEARINGS ARE BASED ON THE SURVEY DATA PROVIDED.  
6. ALL DIMENSIONS AND BEARINGS ARE BASED ON THE SURVEY DATA PROVIDED.  
7. ALL DIMENSIONS AND BEARINGS ARE BASED ON THE SURVEY DATA PROVIDED.  
8. ALL DIMENSIONS AND BEARINGS ARE BASED ON THE SURVEY DATA PROVIDED.  
9. ALL DIMENSIONS AND BEARINGS ARE BASED ON THE SURVEY DATA PROVIDED.  
10. ALL DIMENSIONS AND BEARINGS ARE BASED ON THE SURVEY DATA PROVIDED.

PROJECT: SPECIFIC PURPOSE SURVEY SITE: SITE PLAN DRAWN BY: IRA GRABOW	<b>ROBBLYNA AND ASSOCIATES, INC.</b> ENGINEERS PLANNERS SURVEYORS 1000 S.W. 10th Street Fort Lauderdale, FL 33304 Phone: 954-575-4215	REVIEWED: R.T. CHECKED: R.T. DATE: 04-23-2014 SCALE: 1" = 20'	APPROVED: [Signature] DATE: 04-23-2014	PROJECT: SPECIFIC PURPOSE SURVEY SITE: SITE PLAN DRAWN BY: IRA GRABOW
---	---	--	---	---

PURPOSE SURVEY

Q N 90°00'00"E 538.04'  
S.W. 76th STREET.

(50' R/W)

N 90°00'00"E 231.70'(C) 257.00'(R)

N 90°00'00"E 103.2'(C) 128.50'(R)

R=25.00  
L=39.57  
Tan=25.30  
Δ=90°41'40"

S 00°41'40" W 200.00'

S 00°41'40" W 200.00'

S 00°41'40" W 174.79'(C) 200.00'(R)

LOT 1

LOT 2

LOT 'B'  
25,700 S.F. NET  
28,910 S.F. GROSS

LOT 'A'  
25,700 S.F. NET  
34,544 S.F. GROSS

LINE OF SETBACKS

LINE OF SETBACKS

S.W. 48th COURT  
(50' R/W)

PONCE DE LEON BOULEVARD (PLAT)  
(S.W. 49th AVENUE)

LOT 3

RECEIVED  
204-270

GRAPHIC SCALE



Jorge 04-270

**SPECIFIC PURPOSE SURVEY**

Q N 90°00'00"E 538.04'  
S.W. 76th STREET.

(50' R/W)

206.03' (P)

N 90°00'00"E 128.50' N 90°00'00"E 231.70' (C) 257.00' (R)  
N 90°00'00"E 103.2' (C) 128.50' (R)

R=25.00  
L=36.50  
T=28.50  
A=90°41'40"

LOT 2

LOT 1

LOT 3

LOT 'B'  
25,700 S.F. NET  
28,910 S.F. GROSS

LOT 'A'  
25,700 S.F. NET  
34,544 S.F. GROSS

S 00°41'40" W 200.00'

S 00°41'40" W 200.00'

S 00°41'40" W 174.79' (C) 200.00' (R)

S.W. 48th COURT  
(50' R/W)

PONCE DE LEON BOULEVARD (PLAT)  
(S.W. 49th AVENUE)

S.W. 76th STREET.

LOT 3

LOT 2

LOT 1

S.W. 48th COURT

**LEGAL DESCRIPTION**

THE PART HEREIN OF LOTS 1 AND 2 IN BLOCK 3, SUBDIVISION 1, AS SHOWN AND REFERRING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4047 PAGE 2 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

N  
SITE PLAN

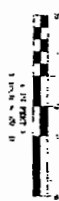
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY

**RECEIVED**  
2004-270  
SEP 22 2004

**NOTES:**

- 1) THIS IS NOT A SURVEY THE SPECIFIC PURPOSE OF THIS MAP IS TO DETECT THE SITE PLAN WITH THE BUILDING SETBACKS ONLY.
- 2) NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED.
- 3) NO INSURANCE OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY, AND FOR CONVEYANCE OF INTERESTS HAS BEEN LOCATED.
- 4) THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON AND THE CERTIFICATION HEREON DOES NOT EXTEND TO ANY UNNAMED PARTY.
- 5) THE SURVEYOR'S CALLS ARE IN SUBSTANTIAL AGREEMENT WITH THE LICENSED SURVEYOR AND MAPPER.
- 6) NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL, DATED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 7) EASEMENTS SHOWN ARE BASED UPON AN ASSUMED BEARING OF 90°00'00" ALONG THE ADJACENT PROPERTY LINE TO THE ADJACENT PROPERTY LINE.
- 8) DIMENSIONS SHOWN ARE MEASURED AND RECORDED ON THIS OVERLAP AREA.

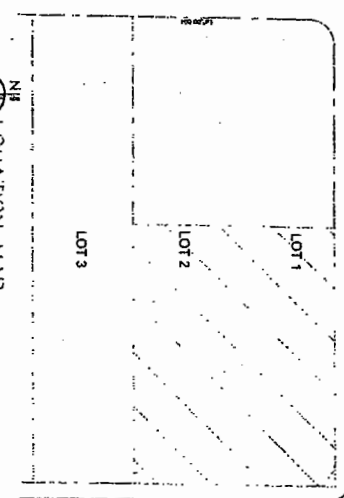
GRAPHIC SCALE

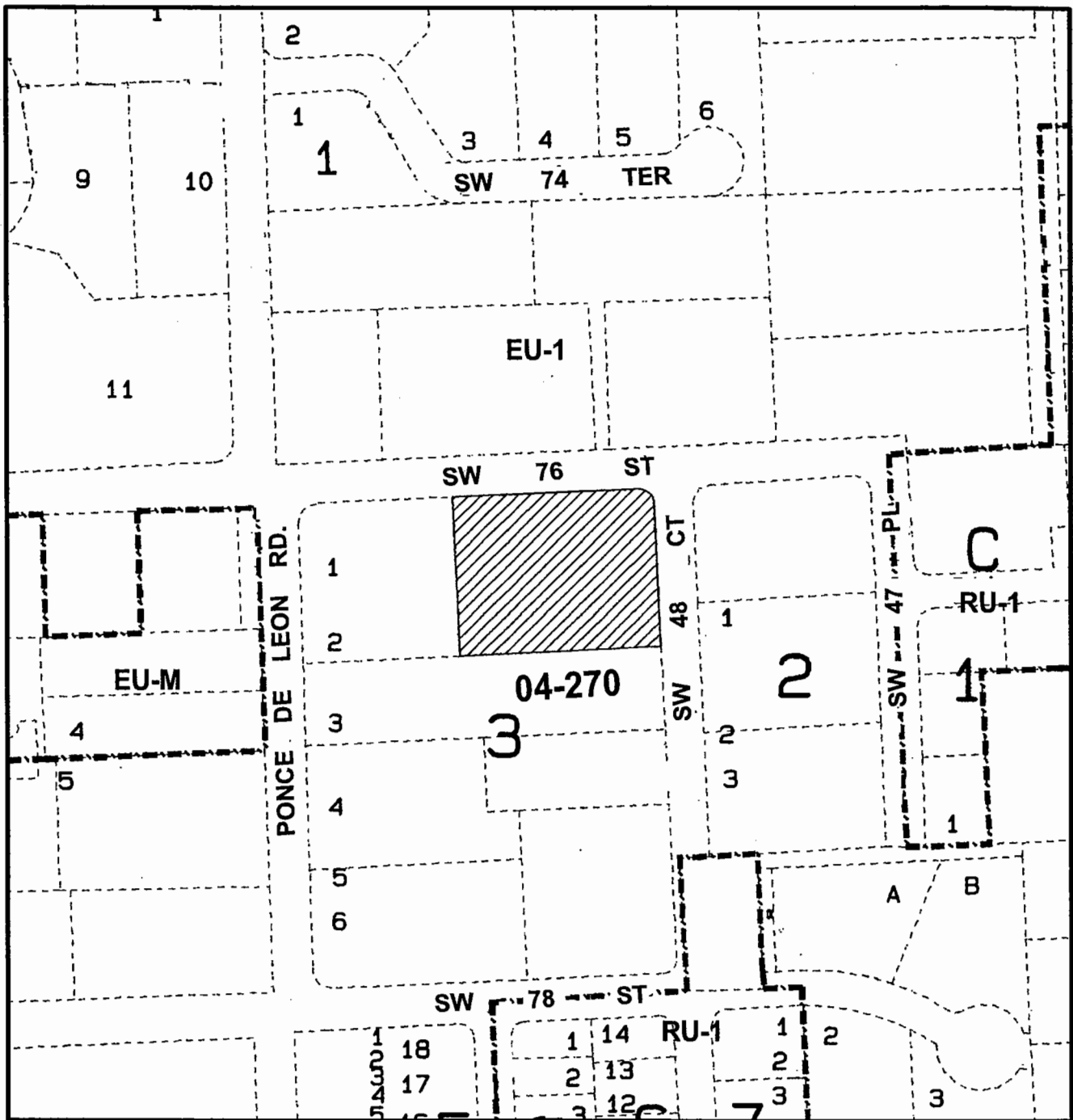


**SITE SUMMARY**

<p>LOT 1: 25,700 S.F. NET, 28,910 S.F. GROSS</p> <p>LOT 2: 25,700 S.F. NET, 28,910 S.F. GROSS</p> <p>LOT 3: 25,700 S.F. NET, 34,544 S.F. GROSS</p>	<p>LOT 1: 25,700 S.F. NET, 28,910 S.F. GROSS</p> <p>LOT 2: 25,700 S.F. NET, 28,910 S.F. GROSS</p> <p>LOT 3: 25,700 S.F. NET, 34,544 S.F. GROSS</p>
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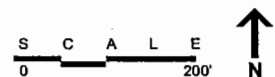
N  
LOCATION MAP





**MIAMI-DADE COUNTY  
HEARING MAP**

Section: 31 Township: 54 Range: 41  
 Process Number: 04-270  
 Applicant: IRA & BAMBI GRABOW  
 District Number: 07  
 Zoning Board: C12  
 Drafter ALFREDO  
 Scale: 1:200'



 SUBJECT PROPERTY






MIAMI-DADE COUNTY  
**AERIAL**

Section: 31 Township: 54 Range: 41  
Process Number: 04-270  
Applicant: IRA & BAMBI GRABOW  
District Number: 07  
Zoning Board: C12  
Drafter ALFREDO  
Scale: NTS

SCALE  
0 NTS N

 SUBJECT PROPERTY



**1. IRA AND BAMBI GRABOW**  
**(Applicant)**

**05-6-CZ12-1 (04-270)**  
**Area 12/District 7**  
**Hearing Date: 6/20/05**

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☐/ lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☐ No ☒

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
--------------------	-------------------------	-----------------------	---------------------	------------------------

NONE

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.



**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO COMMUNITY COUNCIL No. 12**

**APPLICANT:** Ira and Bambi Grabow

**PH:** Z04-270 (05-06-CZ12-1)

**SECTION:** 31-54-41

**DATE:** June 20, 2005

**COMMISSION DISTRICT:** 7

**ITEM NO.:** 1

**A. INTRODUCTION**

o **REQUEST:**

1. EU-1 to EU-S

or in the alternative to request #1:

2. Applicant is requesting to permit a lot with an area of .645 gross acre and a lot with an area of .793 gross acre (1 gross acre required for each).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-use Variance) or (c) (Alternative Non-use Variance).

A plan is on file and may be examined in the Zoning Department entitled "Specific Purpose Survey, Site Plan, Ira Grabow," as prepared by Robayna and Associates, dated stamped received 4/19/05. Plan may be modified at public hearing.

o **SUMMARY OF REQUEST:**

The requests will allow the applicant to change the zoning on the property from EU-1, Single-Family One Acre Estate Residential District, to EU-S, Estate Use Suburban Residential District, or in the alternative, to permit a lot with an area of .645 gross acre and a lot with an area of .793 gross acre to allow the resubdivision of the subject EU-1 zoned parcel into two lots with less lot area than required by zoning regulations.

o **LOCATION:**

Southwest corner of SW 76 Street and SW 48 Court, a/k/a 4820 SW 76 Street, Miami-Dade County, Florida.

o **SIZE:** 1.438 gross acres

o **IMPACT:**

The approval of the requested district boundary change or the alternative request for lots with less area than required by zoning district regulations will provide 1 additional housing unit for the community that will have a minimal impact on public services.

**B. ZONING HEARINGS HISTORY:** None

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **estate density residential**.

**Estate Density Residential**

This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.

**D. NEIGHBORHOOD CHARACTERISTICS:**

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du/a

Surrounding Properties:

NORTH: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du/a

SOUTH: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du/a

EAST: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du/a

WEST: EU-1; single-family residence

Estate Density Residential, 1 to 2.5 du/a

The subject property is located on the southwest corner of SW 48 Court and SW 76 Street. The area surrounding the subject property is predominately developed with single-family homes.

**E. SITE AND BUILDINGS:**

**Site Plan Review:**

(site plan submitted)

Scale/Utilization of Site:

**Acceptable**

Location of Buildings:

**Acceptable**

Compatibility:

**Acceptable**

Landscape Treatment:

**N/A**

Open Space:

**N/A**

Buffering:

**N/A**

Access:

**N/A**

Parking Layout/Circulation:

**N/A**

Visibility/Visual Screening:

**N/A**

Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

**F. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(F)**

In evaluating an application for a **district boundary change**, the Board shall take into consideration, among other factors the extent to which the development permitted by the application if granted:

- (1) Conform to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) Will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) Will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) Will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) Will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

**Section 33-311(A)(14) Alternative Site Development Option for Single Family and Duplex Dwellings**

The following standards are alternatives to the generalized standards contained in zoning regulations governing specified zoning districts:

- (d) The **lot area, frontage, or depth** for a single family or duplex dwelling shall be approved upon demonstration of at least one of the following:

1. the proposed lot area, frontage or depth will permit the development or redevelopment of a single family or duplex dwelling on a parcel of land where such dwelling would not otherwise be permitted by the underlying district regulations due to the size or configuration of the parcel proposed for alternative development, provided that:
  - A. the parcel is under lawful separate ownership from any contiguous property and is not otherwise grandfathered for single family or duplex use; and
  - B. the proposed alternative development will not result in the further subdivision of land; and
  - C. the size and dimensions of the lot are sufficient to provide all setbacks required by the underlying district regulations; and
  - D. the lot area is not less than ninety percent (90%) of the minimum lot area required by the underlying district regulations; and
  - E. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - F. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and
  - G. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
2. the proposed alternative development will result in open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not otherwise achievable through application of the underlying district regulations, provided that:
  - A. the density of the proposed alternative development does not exceed that permitted by the underlying district regulations; and
  - B. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002); and
  - C. each lot's area is not less than eighty percent (80%) of the lot area required by the underlying district regulations; and

- D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and
  - F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
3. the proposed lot area, frontage or depth is such that:
- A. the proposed alternative development will not result in the creation of more than three (3) lots; and
  - B. the size and dimensions of each lot are sufficient to provide all setbacks required by the underlying district regulations; and
  - C. no lot area shall be less than the smaller of:
    - i. ninety percent (90%) of the lot area required by the underlying district regulations; or
    - ii. the average area of the developed lots in the immediate vicinity within the same zoning district; and
  - D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and
  - F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
4. If the proposed alternative development involves the creation of new parcels of smaller than five (5) gross acres in an area designated agricultural in the Comprehensive Development Master Plan:
- A. the abutting parcels are predominately parcelized in a manner similar to the proposed alternative development on three (3) or more sides of the parcel proposed for alternative development; and
  - B. the division of the parcel proposed for alternative development will not precipitate additional land division in the area; [and]

- C. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations; and
  - D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the surrounding area defined by the closest natural and man-made boundaries lying with [in] the agricultural designation; and
  - E. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.
- (g) Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:
- 1. will result in a significant diminution of the value of property in the immediate vicinity; or
  - 2. will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or
  - 3. will result in a materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or
  - 4. will combine severable use rights obtained pursuant to Chapter 33B of this code in conjunction with the approval sought hereunder so as to exceed the limitations imposed by section 33B-45 of this code.
- (h) Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:
- A. the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space,

transportation, aesthetic amenities, and buffering from adverse impacts;  
and

- B. the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

**Section 33-311 (A)(4)(b). Non-use variances from other than airport regulations:**

Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

**Section 33-311(A)(4)(c) Alternative non-use variance standard.** Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship; and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

**G. NEIGHBORHOOD SERVICES:**

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

\*Subject to the conditions as stated in the attached memoranda.

#### H. ANALYSIS:

The subject property is located on the southwest corner of SW 48 Court and SW 76 Street and developed with a single-family residence. The applicant is seeking to rezone the property from EU-1, Single-Family One Acre Estate District, to EU-S, Estate Use Suburban Residential District, or in the alternative, to resubdivide the subject parcel into two EU-1 (Single-Family One Acre Estate District) zoned lots with less lot area than required by zoning regulations in order to develop two single-family home sites. The site plan submitted indicates the development of two lots (Lot 'A' and Lot 'B'), each with 25,700 sq. ft. of net lot area. Lot A will have a gross area of 34,544 sq. ft. and lot B will have an area of 28,910 gross sq. ft. However, EU-1 zoning standards require a minimum of 1 acre gross lot area (43,560 sq. ft.). All of the parcels immediately surrounding the subject property are zoned EU-1 and are developed with single-family homes.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application and states that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department does not object** to this application. The land will require platting in accordance with Chapter 28 of the Miami-Dade County Code and road dedications and improvements will be accomplished through the recording of a plat. According to their memorandum, this application meets traffic concurrency since it lies within the urban infill area where traffic concurrency does not apply.

This application would permit the applicant to provide additional housing for the community. The Land Use Plan (LUP) map of the CDMP designates this site for estate density residential use that permits a maximum of 2.5 units per gross acre, and would allow the applicant to develop the site with a maximum of 3 residential units. As such, the development of the subject property with two residential lots as proposed by the applicant is deemed to be **consistent** with the Land Use Plan map. Staff notes that the subject property is completely surrounded by EU-1 zoning and lies east of SW 50 Avenue, between SW 72 Street and N. Kendall Drive where the predominant zoning is EU-1. Introducing an EU-S district amidst the EU-1 zoning district surrounding the subject property would be **incompatible** with the established development trend in this area of Miami-Dade County. Further, approving the EU-S zone change would set a precedent in the area for similar zoning and could potentially foster the introduction of more intensive residential zoning districts.

Notwithstanding the aforementioned, to the west is a pocket of EU-M, Estate Modified Residential District, and to the east and south are pockets of RU-1, Single Family Residential District, zoned lots. In addition, a number of the platted EU-1 parcels surrounding the subject property have less than the 1-acre gross area required by zoning regulations. In staff's opinion, the proposed resubdivision of the subject property into two lots with net areas of 25,700 sq. ft. will be **compatible** with the surrounding neighborhood.

When analyzing request #2 under Section 33-311(A)(14), the Alternative Site Development Option for Single-Family and Duplex Dwellings, the proposed development will not result in an



obvious departure from the aesthetic character of the immediate vicinity; the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the CDMP; and sufficient frontage is maintained to permit vehicular access to all resulting lots. However, the lot area is less than ninety percent (90%) of the minimum lot area required by the underlying district regulations. Ninety percent (90%) of the EU-1 lot area (43,560 sq. ft. gross) is 39,204 sq. ft. gross where only 34,544 sq. ft. gross is provided for Lot 'A' and 28,910 sq. ft. gross is provided for Lot 'B'. As such, request #2 cannot be approved under Section 33-311(A)(14) (Alternative Site Development Option for Single Family and Duplex Dwellings).

Section 33-311(A)(4)(b), the Non-Use Variance Standards, indicates that the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. In staff's opinion, request #2 which seeks to resubdivide the property into two EU-1 zoned lots with less area than required by zoning regulations will not be incompatible with the area concerned since there are a number of lots in the vicinity that are similar or less in size than those requested by the subject application. As previously mentioned, to the west of the subject property is a pocket of EU-M, Estate Modified Residential District, with lots ranging in size from approximately 19,072 sq. ft. to 22,230 sq. ft. and to the east and south are pockets of RU-1, Single Family Residential District, with lots ranging from 8,687 sq. ft. to 11,700 sq. ft. A number of the platted EU-1 parcels surrounding the subject property have less than the 1-acre gross area required by zoning regulations. The EU-1 parcel on the northeast corner of Ponce De Leon Boulevard and SW 76 Street is 23,958 sq. ft., the EU-1 zoned parcel immediately east of the subject property is 33,106 sq. ft., another EU-1 parcel located two lots removed to the south is 23,087 sq. ft. In staff's opinion, the approval of the resubdivision of the subject 1.2-acre parcel into two 25,700 sq. ft. lots will be **compatible** with the surrounding community and will maintain the stability and residential appearance of same. Accordingly, staff recommends approval of request #2 of this application under Section 33-311(A)(4)(b) (Non-Use Variance).

When analyzed under Section 33-311(A)(4)(c), the Alternative Non-Use Variance Standards, the applicant would have to prove that request #2, to resubdivide the 1.2-acre subject parcel into two lots is due to an unnecessary hardship and that, if the request is denied, such denial would not permit the reasonable use of the premises. Since the applicants could use the property in accordance with the underlying zoning regulations, staff recommends denial without prejudice of request #2 under Section 33-311(A)(4)(c) (Alternative Non-Use Variance Standards).

- I. **RECOMMENDATION:** Denial without prejudice of the district boundary change to EU-S (request #1); Approval of request #2 under Section 33-311(A)(4)(b) (NUV); denial without prejudice of request #2 under Section 33-311(A)(14) (ASDO) and Section 33-311(A)(4)(c) (ANUV).
- J. **CONDITIONS:** None

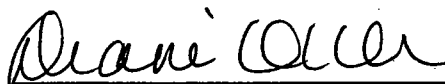
602

Ira and Bambi Grabow

Z04-270

Page 10

**DATE INSPECTED:** 01/04/05  
**DATE TYPED:** 02/06/05  
**DATE REVISED:** 02/10/05, 03/15/05, 03/17/05, 03/18/05, 04/28/05, 05/09/05, 05/13/05,  
05/19/05  
**DATE FINALIZED:** 06/02/05  
DO'QW:AJT:MTF:LVT:GB



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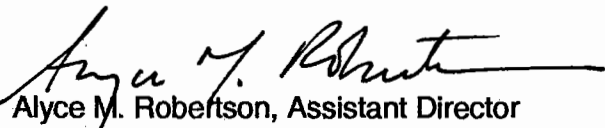
Diane O'Quinn Williams, Director  
Miami-Dade County Department of  
Planning and Zoning

## Memorandum



**Date:** August 12, 2004

**To:** Diane O'Quinn-Williams, Director  
Department of Planning and Zoning

**From:**   
Alyce M. Robertson, Assistant Director  
Environmental Resources Management

**Subject:** C-12 #Z2004000270  
Ira and Bambi Grabow  
4820 SW 76<sup>th</sup> Street  
DBC from EU-1 to EU-S  
(EU-1) (1.2 Ac.)  
31-54-41

**RECEIVED**  
AUG 17 2004

MIAMI-DADE COUNTY  
DIRECTOR'S OFFICE  
DEPT. OF PLANNING & ZONING

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

**Potable Water Supply:**

Public water can be made available to this site, therefore, connection will be required.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

**Sewer Service:**

Sanitary sewers are presently approximately 4,300 feet from this site, however, DERM has no objection to low intensity development served by interim septic tanks provided that the proposed lots are connected to the public water supply system, and that the maximum sewage loading allowed by the Code is not exceeded. Based on available information, the proposed use served with septic tanks would not exceed the maximum allowable sewage loading for the subject site.

**Stormwater Management:**

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A No-Notice General Environmental Resource Permit from DERM shall be required for the drainage system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Tree Preservation:

An on-site inspection performed by DERM staff revealed the presence of specimen-sized (trunk diameter  $\geq 18"$ ) trees including one specimen-sized live oak tree, one pongam and one java plum tree. Section 24-60 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized trees, as defined in the Code, which are on the site. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. A tree survey showing all the tree resources on site will be required prior to reviewing the tree removal permit application. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z  
Ron Connally, Zoning Hearings- P&Z  
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PH# Z2004000270  
CZAB - C12

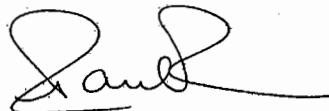
### **PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: IRA AND BAMBI GRABOW

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.



Raul A Pino, P.L.S.

27-SEP-04

# MEMORANDUM

**TO:** Dianne O'Quinn Williams, Director  
Planning and Zoning Department

**DATE:** 11-AUG-04

**FROM:** Antonio Bared, Fire  
Chief

**SUBJECT:** Z2004000270

**Fire Prevention Unit:**

OK OK

Development for the above Z2004000270  
located at 4820 S.W. 76 STREET, MIAMI-DADE COUNTY, FLORIDA.  
in Police Grid \_\_\_\_\_ is proposed as the following:

_____ single	dwelling units	_____ industrial	square feet
_____ multifamily	dwelling units	_____ institutional	square feet
_____ commercial	square feet	_____ nursing home	square feet

Based on this development information, estimated service impact is  
\_\_\_\_\_ alarms annually.

Planned service(s) to mitigate the impact is:

_____ Station/Unit	_____ Estimated date of opening
--------------------	---------------------------------

At this time, Miami-Dade Fire Rescue can/cannot accomodate the  
additional projected service impact.

# TEAM METRO

## ENFORCEMENT HISTORY

IRA AND BAMBI GRABOW

Southwest corner of SW 76 Street &  
SW 48 Court aka 4820 S.W. 76  
STREET, MIAMI-DADE COUNTY,  
FLORIDA.

---

APPLICANT

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ADDRESS

---

Z2004000270

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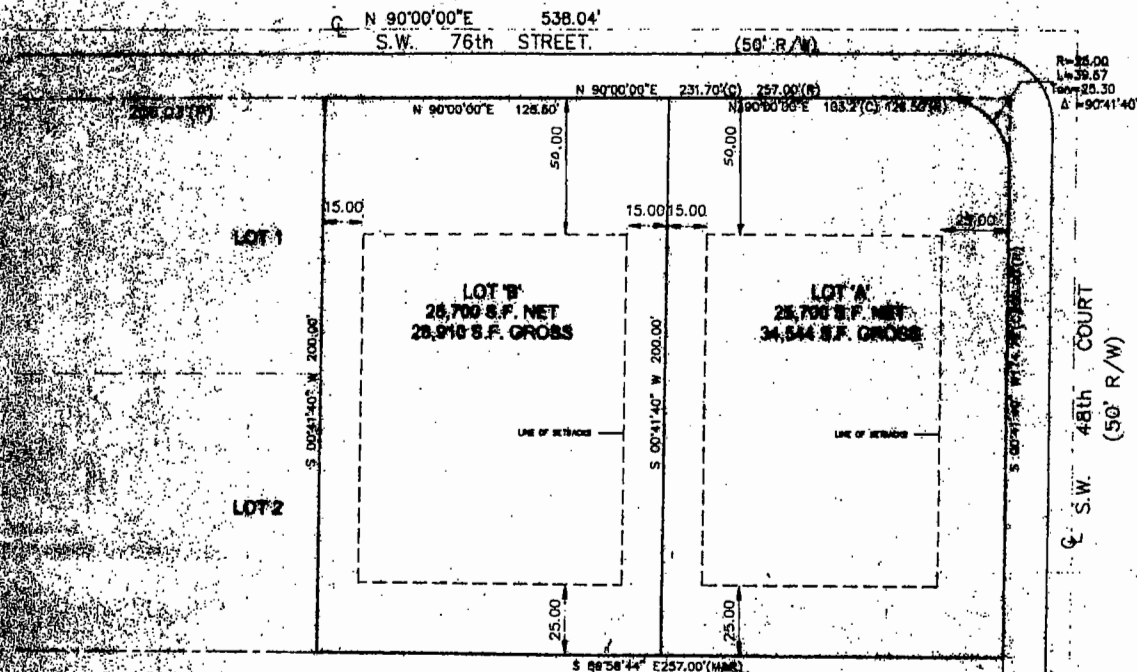
HEARING NUMBER

## CURRENT ENFORCEMENT HISTORY:

02/25/05 Inspection conducted  
02/25/2005 No current violations

L. Cuellar

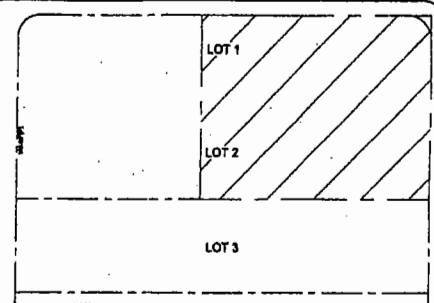
**SPECIFIC PURPOSE SURVEY**



PONCE DE LEON BOULEVARD (PLAT)  
(S.W. 49th AVENUE)

S.W. 48th COURT  
(50' R/W)

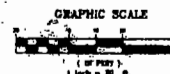
S.W. 76th STREET.



**LOCATION MAP**  
N.B. & MRS. IRA GRABOW  
4820 SW 76 STREET  
MIAMI, FLORIDA 33143

**SITE SUMMARY**

PLAN NAME	30-112-000-000
PROPERTY ADDRESS	4820 SW 76 STREET MIAMI, FLORIDA 33143
OWNER	IRA GRABOW
LOT AREA	10.00 ACRES (43,560 S.F.)
PROPOSED DEVELOPMENT	1.0000 ACRES (43,560 S.F.)
USE	RESIDENTIAL
LOT 1	1.0000 ACRES (43,560 S.F.)
LOT 2	1.0000 ACRES (43,560 S.F.)
LOT 3	1.0000 ACRES (43,560 S.F.)



**NOTES:**

- THIS IS NOT A SURVEY. THE SPECIFIC PURPOSE OF THIS MAP IS TO DEPICT THE SITE PLAN WITH THE BUILDING SETBACKS ONLY.
- NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED.
- NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY, AND/OR OWNERSHIP HAVE BEEN FURNISHED TO THE SURVEYOR.
- THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON AND THE CERTIFICATION HEREON DOES NOT EXTEND TO ANY UNNAMED PARTY.
- NO RECORD MEASUREMENT CALLS ARE IN SUBSTANTIAL AGREEMENT.
- THIS VALUE WITHOUT THE SIGNATURE AND THE ORIGINAL NAMED SEAL OF A FLORIDA LICENSED SURVEYOR AND SURVEYOR.
- FLORIDA'S SURVEYING BOARD UPON AN ADEQUATE BEARING OF HIS/HERS ALONG THE CENTERS OF SW 76th STREET AND REFER TO ANGLE AS SHOWN HEREON.
- UNDERGROUND SHOWN ARE UNLabeled AND RECORD ON LOSS OTHERWISE NOTED.

**RECEIVED**  
04.27.05  
APR 19 2005  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY **LOE**

**SITE PLAN**

**SPECIFIC PURPOSE SURVEY**  
SITE PLAN  
IRA GRABOW

**ROBBYNA**  
AND ASSOCIATES, INC.  
CHARTERED PROFESSIONAL SURVEYORS  
1000 N.W. 10th Street  
Fort Lauderdale, FL 33309  
TEL: 954.571.1000  
FAX: 954.571.1001

DATE: 4/19/05  
SCALE: 1" = 20'

CONTRACT NO. 05-001  
PROJECT NO. 05-001

NO.	DATE	DESCRIPTION
1	4/19/05	ISSUED FOR PERMIT
2	4/19/05	ISSUED FOR PERMIT
3	4/19/05	ISSUED FOR PERMIT
4	4/19/05	ISSUED FOR PERMIT
5	4/19/05	ISSUED FOR PERMIT
6	4/19/05	ISSUED FOR PERMIT
7	4/19/05	ISSUED FOR PERMIT
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10	4/19/05	ISSUED FOR PERMIT

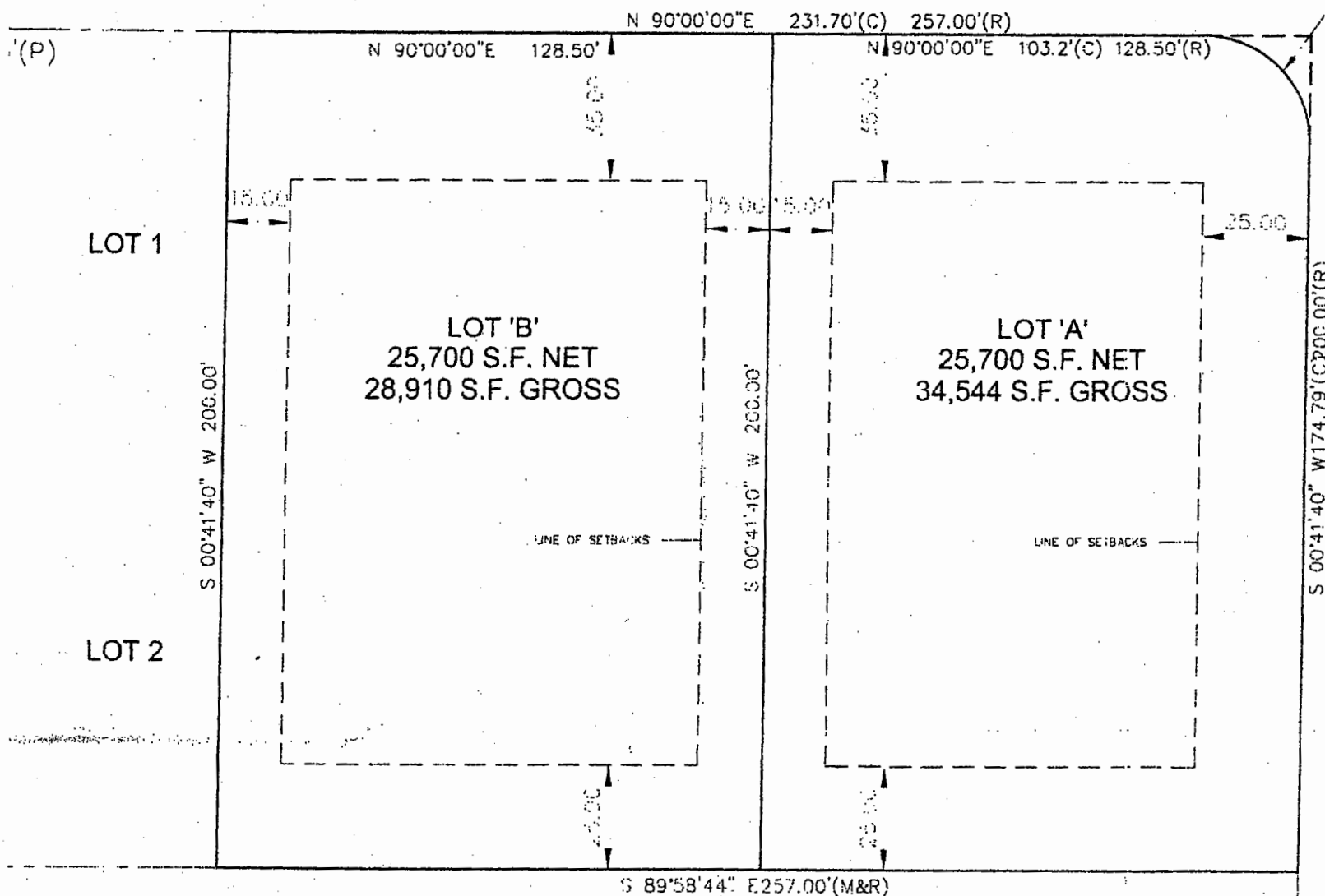


**PURPOSE SURVEY**

Q N 90°00'00"E 538.04'  
S.W. 76th STREET.

(50' R/W)

R=25.00  
L=39.57  
Tan=25.30  
Δ=90°41'40"



PONCE DE LEON BOULEVARD (PLAT)  
(S.W. 40th AVENUE)

Q S.W. 48th COURT  
(50' R/W)

GRAPHIC SCALE

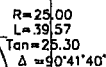


1" = 100' 0"

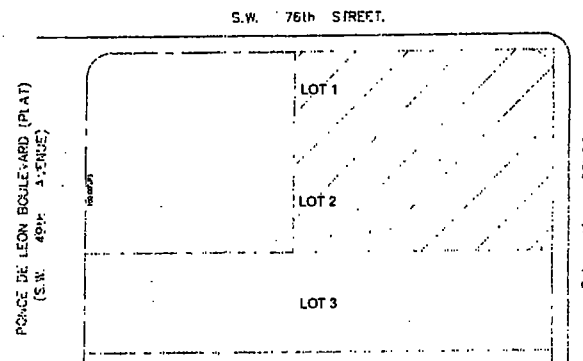
**RECEIVED**  
204-270

04-270

Q<sub>L</sub> N 90°00'00"E 538.04'  
S.W. 76th STREET. (50' R/W)



CE S.W. 48th COURT  
(50' R/W)

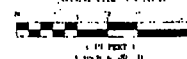


LOCATION MAP

NR & NEQ IFA GRABOW  
AB'D SW 75 L'PCEI  
M-A-W, FIDRIDA 33143

[illegible]

GRAPHIC SUM-UP



NOTES:

- 1) THIS IS NOT A SURVEY. THE SPECIFIC PURPOSE OF THIS MAP IS TO DEPICT THE GULF PLAN WITH THE BUILDING SETBACKS ONLY.
- 2) NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED.
- 3) NO INSTALLATION OF REPAIRS TO EXISTING GASEMENTS, RIGHT OF WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR.
- 4) THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON AND THE CERTIFICATION HEREON DOES NOT EXTEND TO ANY UNNAMED PARTY.
- 5) RECORD AND MEASUREMENT CALLS ARE IN SUBSTANTIAL AGREEMENT.
- 6) NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORENCE COUNTY SURVEYOR.
- 7) BEARINGS SHOWN ARE BASED UPON AN ASSUMED BEARING OF N00°19'00" ALONG THE CENTERLINE OF SW 760 STREET AND REFER TO ANGLE AS SHOWN. HEREON

THE EAST 287 FEET OF LOTS 1 AND 2, IN BLOCK 3,  
OF "AMENDED PLAT OF GRANADA PARK", ACCORDING TO  
THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 40, AT  
PAGE 21, OF THE PUBLIC RECORDS OF DADE COUNTY,  
FLORIDA.

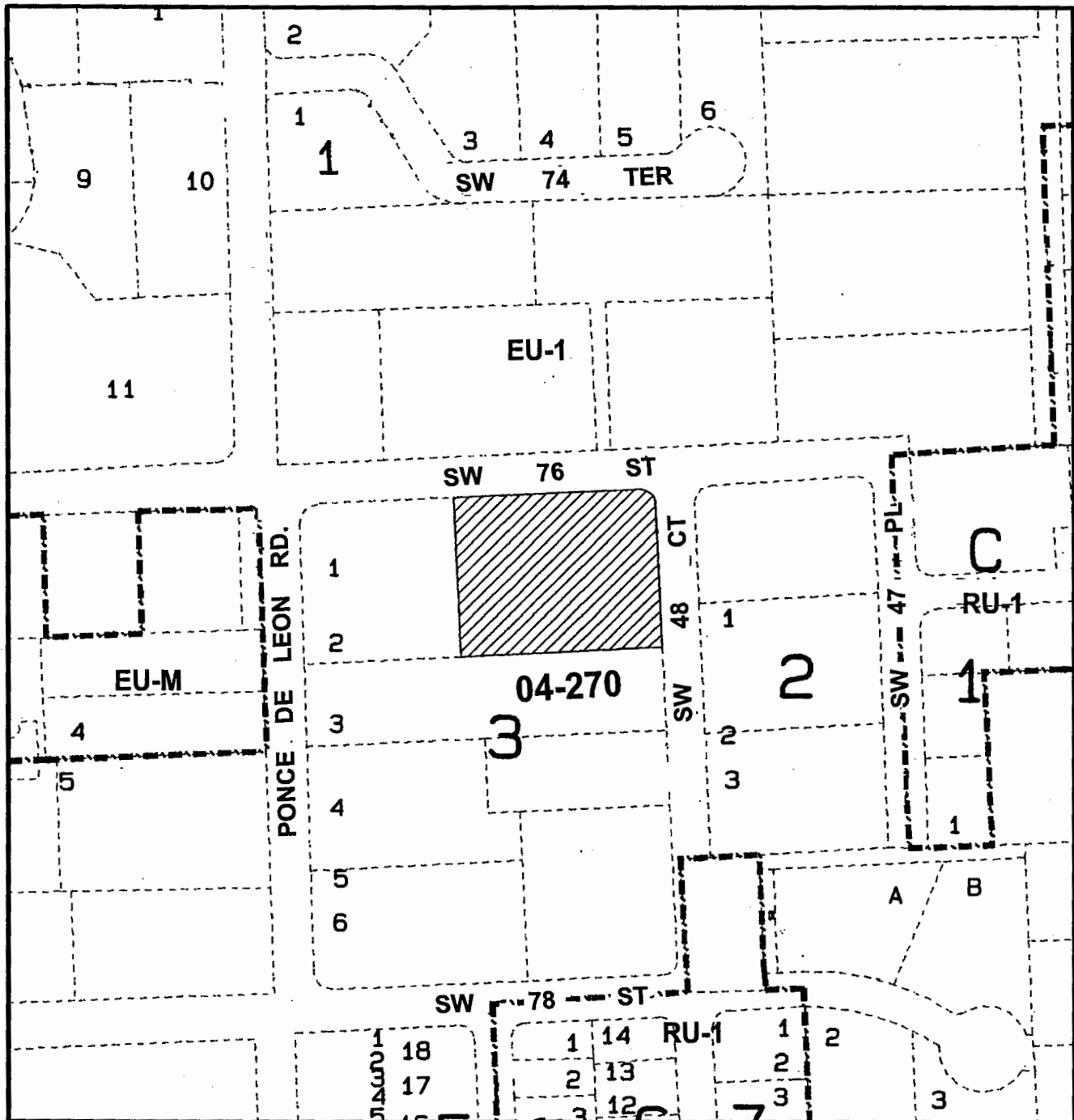
N/E  
SITE PLAN

1990-1991 10-20-11

RECEIVED  
804-270  
SEP 22 2004

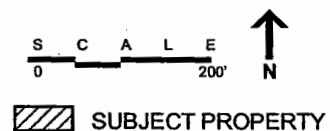
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

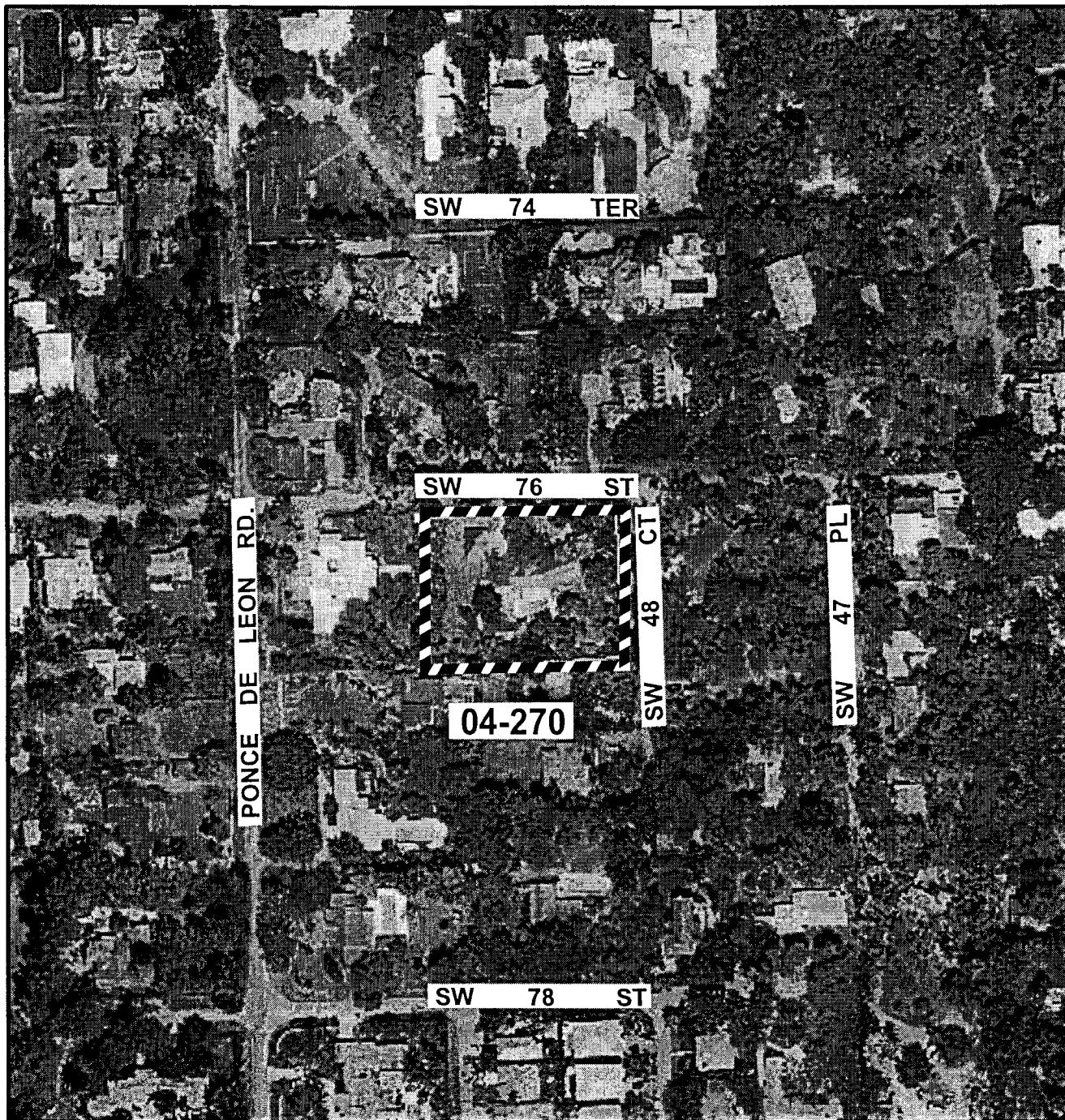
BY



# MIAMI-DADE COUNTY HEARING MAP

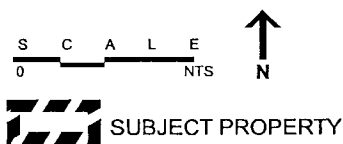
Section: 31 Township: 54 Range: 41  
 Process Number: 04-270  
 Applicant: IRA & BAMBI GRABOW  
 District Number: 07  
 Zoning Board: C12  
 Drafter ALFREDO  
 Scale: 1:200'





MIAMI-DADE COUNTY  
**AERIAL**

Section: 31 Township: 54 Range: 41  
Process Number: 04-270  
Applicant: IRA & BAMBI GRABOW  
District Number: 07  
Zoning Board: C12  
Drafter ALFREDO  
Scale: NTS



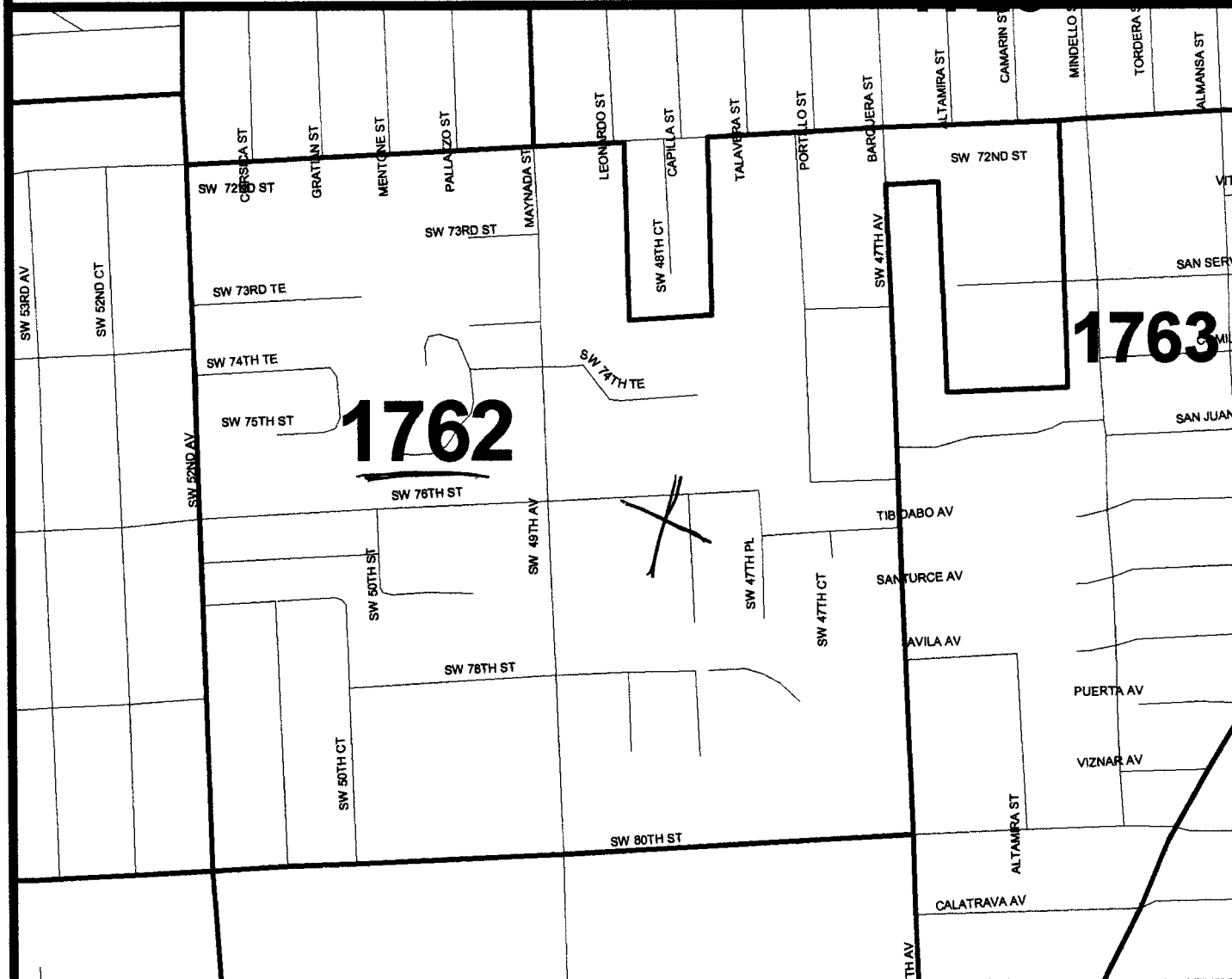
SUBJECT PROPERTY



C-12



**Miami-Dade Police Department**  
**Target Area - Police Grid(s): 1762**  
**Ira & Bambi Grabow; Hearing # 04-270**



Police Grids Boundaries  
Boundary

MDPD Crime Analysis System  
August 24, 2004  
Data in this document represents  
successfully geocoded attributes.





**Miami-Dade Police Department**  
**Address Query for Events occurring at 4820 SW 76 ST**  
**For 2002-01-01 Thru 2002-12-31**

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01" and Dis.Police District Code in ( "A", "B", "C", "D", "E", "H", "I", "J", "K", "L", "M", "N", "P", "Q", "R", "ZZ" ) and Dis.Incident Address contains "4820 SW 76 ST" and Dis.Reporting Agency Code = substring ( "030", 1, 3 ) and Common

Incident Address	Dis	Grid	A O P	Complaint Date	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit
4820 SW 76 ST	K	1762	1	09/19/2002	0521236A		14	18:15:00	18:18:00	18:27:00	K3102
4820 SW 76 ST	K	1762	1	09/19/2002			15	18:18:00	18:18:00	18:27:00	

2



# Miami-Dade Police Department

## Address Query for Events occurring at 4820 SW 76 ST

### For Thru

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01" and Dis.Police District Code in ( "A", "B", "C", "D", "E", "H", "I", "J", "K", "L", "M", "N", "P", "Q", "R", "ZZ" ) and Dis.Incident Address contains "4820 SW 76 ST" and Dis.Reporting Agency Code = substring ( "030", 1, 3 ) and Common

Incident Address	Dis	Grid	A O P	Complaint Date	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit
		1762									

*[Handwritten signature]*



# Miami-Dade Police Department Summarized Grid Information By Signal For 2002-01-01 Thru 2002-12-31

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: ( Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01" ) and ( Dis.Grid in ( "1762" ) ) and ( ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) or ( "ALL" in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) ) and Common and ( Dis.Reporting Agency Code = substring ( "030", 1, 3 ) )

Grid	Signal Code	Signal Description	Total
1762	13	SPECIAL INFORMATION/ASSIGNM	12
	14	CONDUCT INVESTIGATION	53
	15	MEET AN OFFICER	203
	17	TRAFFIC ACCIDENT	7
	18	HIT AND RUN	1
	20	TRAFFIC DETAIL	6
	22	AUTO THEFT	1
	25	BURGLAR ALARM RINGING	158
	26	BURGLARY	17
	27	LARCENY	8
	28	VANDALISM	7
	32	ASSAULT	1
	34	DISTURBANCE	23
	36	MISSING PERSON	2
	37	SUSPICIOUS VEHICLE	4
	38	SUSPICIOUS PERSON	7
	39	PRISONER	1
	41	SICK OR INJURED PERSON	6
	43	BAKER ACT	1
	45	DEAD ON ARRIVAL	1
	49	FIRE	1
	52	NARCOTICS INVESTIGATION	1
	54	FRAUD	5





# Miami-Dade Police Department Summarized Grid Information By Signal For 2002-01-01 Thru 2002-12-31

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: ( Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01" ) and ( Dis.Grid in ( "1762" ) ) and ( ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) or ( "ALL" in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) ) and Common and ( Dis.Reporting Agency Code = substring ( "030", 1, 3 ) )

Grid	Signal Code	Signal Description	Total
Total Signals for Grid 1762 :		526	
Total Reported: 323		Total Not Reported: 203	

Total for All Grids : 526



Miami-Dade Police Department

# **Miami-Dade Police Department Summarized Grid Information By Signal For 2003-01-01 Thru 2003-12-31**

Crime Information Warehouse

Detail Filter: ( Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01" ) and ( Dis.Grid in ( "1762" ) ) and ( ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) or ( 'ALL' in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) ) and Common and ( Dis.Reporting Agency Code = substring ( "030", 1, 3 ) )

Grid	Signal Code	Signal Description	Total
1762	13	SPECIAL INFORMATION/ASSIGNM	6
	14	CONDUCT INVESTIGATION	41
	15	MEET AN OFFICER	145
	17	TRAFFIC ACCIDENT	9
	19	TRAFFIC STOP	2
	20	TRAFFIC DETAIL	3
	22	AUTO THEFT	1
	25	BURGLAR ALARM RINGING	86
	26	BURGLARY	15
	27	LARCENY	4
	28	VANDALISM	6
	32	ASSAULT	6
	33	SEX OFFENSE	1
	34	DISTURBANCE	25
	36	MISSING PERSON	1
	37	SUSPICIOUS VEHICLE	1
	38	SUSPICIOUS PERSON	1
	41	SICK OR INJURED PERSON	6
	49	FIRE	1
Total Signals for Grid 1762 :			360
Total Reported: 237			Total Not Reported: 123

**Total for All Grids : 360**



Miami-Dade Police Department

**MIAMI-DADE POLICE DEPARTMENT**  
**Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**From 2002-01-01 Thru 2002-12-31**

Crime Information Warehouse

**YEAR: 2002**

**Grid(s): 1762**

<b>Part I Crimes</b>	<b>Total Crimes</b>
<b>Grid 1762</b>	
130A - AGGRAVATED ASSAULT	2
2200 - BURGLARY	7
230F - SHOPLIFTING FROM A MOTOR VEHICLE	5
230G - SHOPLIFTING ALL OTHERS	4
2400 - MOTOR VEHICLE THEFT	1
<b>Grid 1762 TOTAL</b>	<b>19</b>
<b>Total Part I :</b>	<b>19</b>



Miami-Dade Police Department

**MIAMI-DADE POLICE DEPARTMENT**  
**Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**From 2002-01-01 Thru 2002-12-31**

Crime Information Warehouse

**YEAR: 2002**

**Grid(s): 1762**

<b>PART II Crimes</b>	<b>Total Crimes</b>
<b>Grid 1762</b>	
350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	1
260A - FRAUD CON/SWINDLE/FALSE PRET.	1
260B - FRAUD CREDIT CARD/ATM	2
<b>Grid 1762 TOTAL</b>	<b>4</b>
<b>Total PART II :</b>	<b>4</b>

**Grand Total: 23**

Detail Filter: Ol.Incident From Date Time >= "2002-01-01" and Ol.Incident From Date Time < "2003-01-01" and Ol.Offense.Ucr Code in ( '090A', '1200', '110A', '110B', '110C', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000' ) and ( Ol.Reporting\_Agency\_Code = substring ( "030", 1, 3 ) ) and Ol.Aoa Agency Code = '000' and Ol.Clearance Type Description <> 'UNFOUNDED' and Ol.Report Written YN = 'Y' and Ol.Grid in ( "1762" )



Miami-Dade Police Department

**MIAMI-DADE POLICE DEPARTMENT**  
**Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**From 2003-01-01 Thru 2003-12-31**

Crime Information Warehouse

**YEAR: 2003**

**Grid(s): 1762**

<b>Part I Crimes</b>	<b>Total Crimes</b>
<b>Grid 1762</b>	
2200 - BURGLARY	4
230F - SHOPLIFTING FROM A MOTOR VEHICLE	6
230G - SHOPLIFTING ALL OTHERS	3
2400 - MOTOR VEHICLE THEFT	1
<b>Grid 1762 TOTAL</b>	<b>14</b>
<b>Total Part I :</b>	<b>14</b>



Miami-Dade Police Department

**MIAMI-DADE POLICE DEPARTMENT**  
**Part I and Part II Crimes w/o AOA**  
**For Specific Grids**  
**From 2003-01-01 Thru 2003-12-31**

Crime Information Warehouse

**YEAR: 2003**

**Grid(s): 1762**

<b>PART II Crimes</b>	<b>Total Crimes</b>
<b>Grid 1762</b>	
<b>130B - SIMPLE ASSAULT</b>	<b>6</b>
<b>260A - FRAUD CON/SWINDLE/FALSE PRET.</b>	<b>1</b>
<b>Grid 1762 TOTAL</b>	<b>7</b>
<b>Total PART II :</b>	<b>7</b>

**Grand Total: 21**

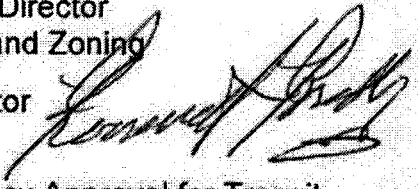
Detail Filter: OI.Incident From Date Time >= "2003-01-01" and OI.Incident From Date Time < "2004-01-01" and OI.Offense.Ucr Code in ( '090A', '1200', '110A', '110B', '110C', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000' ) and ( OI.Reporting\_Agency\_Code = substring ( "030", 1, 3 ) ) and OI.Aoa Agency Code = '000' and OI.Clearance Type Description <> 'UNFOUNDED' and OI.Report Written YN = 'Y' and OI.Grid in ( "1762" )

# Memorandum



**Date:** September 30, 2005

**To:** Diane O'Quinn Williams, Director  
Department of Planning and Zoning

**From:** Roosevelt Bradley, Director  
Miami-Dade Transit 

**Subject:** FY-06 Blanket Concurrency Approval for Transit

---

This memo serves as a blanket authorization for the Department of Planning and Zoning to continue to approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues with the development process for the North Corridor transit project along NW 27<sup>th</sup> Avenue from 62<sup>nd</sup> Street to the Broward County Line. Please ask your staff to continue to signal any application whose address is on NW 27<sup>th</sup> Avenue, between these two points, so that they may be reviewed by MDT Staff.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period of October 1, 2005 to September 30, 2006, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at (305) 375-1193. Your continued cooperation on these important matters is greatly appreciated.

**Cc:** Albert Hernandez, Deputy Director  
MDT Planning and Engineering  
Mario G. Garcia, Chief  
MDT Systems Planning Division  
Helen A. Brown, Concurrency Administrator  
Department of Planning and Zoning

✓ J. Brown

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** December 2, 2004

**To:** Dianne O'Quinn-Williams, Director  
Department of Planning and Zoning

**From:** Vivian Donnell Rodriguez, Director  
Park and Recreation Department

**Subject:** Update for Blanket Concurrency Approval

RECEIVED

DEC 14 2004

MIAMI-DADE COUNTY  
DIRECTOR'S OFFICE  
DEPT. OF PLANNING & ZONING

This memorandum updates the blanket concurrency approval memo of September 18, 2003. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until November 30, 2005. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z  
W. Howard Gregg, Asst. Director for Planning & Development, PARD  
Barbara Falsey, Chief, Planning and Research Division, PARD





## MEMORANDUM

*Original to Helen Brown  
y to Al Jones*

TO: Diane O'Quinn Williams  
Director  
Department of Planning and Zoning

DATE: September 12, 2003  
SUBJECT: Solid Waste Disposal  
Concurrency Determination

FROM: Andrew Wilfork  
Director  
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager  
Victoria Garland, Acting Deputy Director, DSWM  
Vicente Castro, Assistant Director for Technical Services, DSWM  
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM  
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

RECEIVED  
SEP 18 2003

ZONING SERVICES DIVISION, DADE COUNTY  
DEPT. OF PLANNING & ZONING

BY \_\_\_\_\_

# Memorandum



**Date:** April 21, 2005

**To:** Alberto J. Torres, Assistant Director for Zoning  
Department of Planning and Zoning

**From:** Manuel C. Mena, Chief  
MDFR Fire Prevention Division

**Subject:** Concurrency Approval

---

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File

**Department of Solid Waste Management (DSWM)**  
**Solid Waste Facility Capacity Analysis**  
**Fiscal Year 2002-2003**

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY					RTI FACILITY				LANDFILLS			WHEELABRATOR (contract had ended on 12/31/02)	Tptal
		On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill	Net Tonnage	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill	Tonnage	SOUTH DADE Garbage	NORTH DADE Trash	WMI Garbage & Trash	Trash	
					[1]	[2]		[3]		[4]	[5]	[6]	[7]	[8]	[1]-[8]
2003 *	1,837,000	936,000	198,000	17,000	119,000	604,000	270,000	54,000	27,000	189,000	410,000	333,000	148,000	8,000	1,836,000
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2005	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2006 ***	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2007	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2008	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2009	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2010	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2011	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500

RESOURCES RECOVERY	GARBAGE	TRASH	TIRES	TOTAL
* TOTAL @ 1.84M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
** TOTAL @ 1.72M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
*** TOTAL @ 1.71M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
		270,000		270,000 (RTI)

**TOTAL WASTE STREAM PERCENTAGES @1.84 MILLIONS TONS**

GARBAGE 54.3%	997,000
TRASH 44.4%	816,000
SPECIAL (includes Tires) 1.3%	24,000
TOTAL	1,837,000

**REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR**

Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	WMI **** Disposed
Base Capacity	207,000	4,352,000	3,130,000	148,000
2003	61,000	3,942,000	2,797,000	100,000
2004	0	3,668,500	2,402,000	188,000
2005	0	3,395,000	2,007,000	249,000
2006	0	3,131,500	1,612,000	249,000
2007	0	2,868,000	1,217,000	249,000
2008	0	2,604,500	822,000	249,000
2009	0	2,341,000	427,000	249,000
2010	0	2,077,500	32,000	249,000
2011	0	1,702,000	0	500,000
2012	0	1,294,500	0	500,000
2013	0	887,000	0	500,000
2014	0	479,500	0	500,000
2015	0	72,000	0	500,000
2016	0	0	0	
2017	0	0	0	
2018	0	0	0	
Total Remaining Years	0	12	6	

\* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).

\*\* South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.

\*\*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.

\*\*\*\* Maximum Contractual Tonnage per year to WMI is 800,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. WMI disposal contract ends September 30, 2015. After WMI disposal contract ends tonnage goes to South Dade Landfill.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

## 2004 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	2000 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space			Total Local Open Space	Surplus (Deficit) Acres	Level of Service
					Park Acres	School field Acres	1/2 Private Acres			
1	332,396	29,396	361,792	994.92	1,044.49	491.02	85.32	1,620.83	625.91	1.629
2	520,177	23,003	543,180	1,493.75	1,476.12	461.33	139.79	2,077.24	583.49	1.390
3	141,699	38,253	179,952	494.86	578.93	177.20	6.90	763.03	268.17	1.541
TOT:	994,272	90,652	1,084,924	2,983.53	3,099.54	1,129.55	232.01	4,461.10	1,477.57	1.520

✓ l. Brown

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** December 2, 2004

**To:** Dianne O'Quinn-Williams, Director  
Department of Planning and Zoning

**From:** Vivian Donnell Rodriguez, Director  
Park and Recreation Department *[Signature]*

**Subject:** Update for Blanket Concurrency Approval

RECEIVED

DEC 14 2004

MIAMI-DADE COUNTY  
DIRECTOR'S OFFICE  
DEPT. OF PLANNING & ZONING

This memorandum updates the blanket concurrency approval memo of September 18, 2003. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until November 30, 2005. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z  
W. Howard Gregg, Asst. Director for Planning & Development, PARD  
Barbara Falsey, Chief, Planning and Research Division, PARD

# Memorandum



**Date:** January 18, 2005

**To:** Diane O'Quinn Williams, Director  
Department of Planning and Zoning

**From:** Roosevelt Bradley, Director  
Miami-Dade Transit

A handwritten signature in black ink, appearing to read "Roosevelt Bradley", written over the printed name of the sender.

**Subject:** FY05 Blanket Concurrency Approval for Transit

---

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service Standards (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues with the development process for the North Corridor transit project along NW 27<sup>th</sup> Avenue from 62<sup>nd</sup> Street to the Broward County line. Please, ask your staff to continue to signal any application whose address is on NW 27<sup>th</sup> Avenue, between these two points, so that they may be reviewed by MDT staff.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2004 to September 30, 2005, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

cc: George Navarrete  
Mario G. Garcia

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** April 21, 2005

**To:** Alberto J. Torres, Assistant Director for Zoning  
Department of Planning and Zoning

**From:** Manuel C. Mena, Chief  
MDFR Fire Prevention Division

**Subject:** Concurrency Approval

---

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File



## MEMORANDUM

*Original to Helen Brown  
by to Al Jones*

TO: Diane O'Quinn Williams  
Director  
Department of Planning and Zoning

DATE: September 12, 2003  
SUBJECT: Solid Waste Disposal  
Concurrency Determination

FROM: Andrew Wilfork  
Director  
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager  
Victoria Garland, Acting Deputy Director, DSWM  
Vicente Castro, Assistant Director for Technical Services, DSWM  
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM  
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

RECEIVED  
SEP 18 2003

ZONING SERVICES DIVISION, DADE COUNTY  
DEPT. OF PLANNING & ZONING

BY \_\_\_\_\_



**Department of Solid Waste Management (DSWM)**  
**Solid Waste Facility Capacity Analysis**  
**Fiscal Year 2002-2003**

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY					RTI FACILITY				LANDFILLS			WHEELABRATOR (contract had ended on 12/31/02)	Total
		On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill	Net Tonnage	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill	Tonnage	SOUTH DADE Garbage	NORTH DADE Trash	WMI Garbage & Trash		
					[1]	[2]			[3]	[4]	[5]	[6]	[7]	[8]	[1]-[8]
2003 *	1,637,000	936,000	196,000	17,000	119,000	604,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,000
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2005	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2006 ***	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2007	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2008	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2009	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2010	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2011	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500

<b>RESOURCES RECOVERY</b>		<b>GARBAGE</b>	<b>TRASH</b>	<b>TIRES</b>	<b>TOTAL</b>
* TOTAL @ 1.84M		853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
			270,000		270,000 (RTI)
** TOTAL @ 1.72M		853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
			270,000		270,000 (RTI)
*** TOTAL @ 1.71M		853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
			270,000		270,000 (RTI)
<b>TOTAL WASTE STREAM PERCENTAGES @ 1.84 MILLIONS TONS</b>					
GARBAGE 54.3%		997,000			
TRASH 44.4%		816,000			
SPECIAL (includes Tires) 1.3%		24,000			
TOTAL		1,837,000			

**REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR**

Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	WMI **** Disposed
Base Capacity	207,000	4,352,000	3,130,000	146,000
2003	61,000	3,942,000	2,797,000	100,000
2004	0	3,668,500	2,402,000	188,000
2005	0	3,395,000	2,007,000	249,000
2006	0	3,131,500	1,612,000	249,000
2007	0	2,868,000	1,217,000	249,000
2008	0	2,604,500	822,000	249,000
2009	0	2,341,000	427,000	249,000
2010	0	2,077,500	32,000	249,000
2011	0	1,702,000	0	500,000
2012	0	1,294,500	0	500,000
2013	0	887,000	0	500,000
2014	0	479,500	0	500,000
2015	0	72,000	0	500,000
2016	0	0	0	
2017	0	0	0	
2018	0	0	0	
Total Remaining Years	0	12	6	

\* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).

\*\* South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.

\*\*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.

\*\*\*\* Maximum Contractual Tonnage per year to WMI is 500,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. WMI disposal contract ends September 30, 2015. After WMI disposal contract ends tonnage goes to South Dade Landfill.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

## 2004 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	2000 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space			Total Local Open Space	Surplus (Deficit) Acres	Level of Service
					Park Acres	School field Acres	1/2 Private Acres			
1	332,396	29,396	361,792	994.92	1,044.49	491.02	85.32	1,620.83	625.91	1.629
2	520,177	23,003	543,180	1,493.75	1,476.12	461.33	139.79	2,077.24	583.49	1.390
3	141,699	38,253	179,952	494.86	578.93	177.20	6.90	763.03	268.17	1.541
TOTAL	994,272	90,652	1,084,924	2,983.53	3,099.54	1,129.55	232.01	4,461.10	1,477.57	1.520